The Dissertation Committee for Carly Tess Herold Certifies that this is the approved version of the following dissertation:

Virtue and Irrationality in Republican Politics:

Cicero's Critique of Popular Philosophy

Committee:

Lorraine Pangle, Supervisor

Thomas Pangle

Devin Stauffer

Jeffrey Tulis

Pierre Manent

Virtue and Irrationality in Republican Politics: Cicero's Critique of Popular Philosophy

by

Carly Tess Herold, B.A., M.A.

Dissertation

Presented to the Faculty of the Graduate School of

The University of Texas at Austin

in Partial Fulfillment

of the Requirements

for the Degree of

Doctor of Philosophy

The University of Texas at Austin

December, 2014

Virtue and Irrationality in Republican Politics:

Cicero's Critique of Popular Philosophy

Carly Tess Herold, Ph.D.

The University of Texas at Austin, 2014

Supervisor: Lorraine Pangle

This dissertation examines the political thought of Cicero in order to shed light on the question of the extent to which politics is or can be made rational. Much of modern political science and policy-making treats citizens as calculating pursuers of interests and preferences, if not as consistently rational. But this view has been powerfully challenged by evidence that human beings are far less adept at the determination and pursuit of our preferences than we believe ourselves to be. As a result, political scientists and policy-makers alike have begun to grapple with the question of how regimes committed to self-government ought to address the limits of our rational capacity, not only in the crafting of particular policies, but also in the rethinking of foundational and constitutional principles and institutions. By considering Cicero's presentation of virtue and republican politics together with his analysis of the popular philosophical schools that were widely influential in his day, I show that Cicero recognizes and reflects on the pervasive irrationality in human decision-making. Like our modern critics of the irrationality of republicanism, the popular philosophical schools of Cicero's day both deprecated politics for its inherent unreasonableness and sought to make the world as they experienced it conform to strict rules of reason. Through a reading of Cicero's evaluation and critique

of the schools in *De Finibus*, *De Natura Deorum*, and *De Officiis*, this dissertation aims to shed light not only on his account of the limits of reason in the political arena and the danger of attempting to overcome them, but also on his insistence that the irrational parts of human nature are the source of much that is beneficial in republican politics. Only by understanding this aspect of Cicero's thought can we understand his reflections on the virtues of republicanism.

Table of Contents

Chapter 1 Introduction: The Weakness of Reason in Politics

It is practically a commonplace of ordinary thinking that democratic politics requires an educated citizenry. If citizens are going to rule themselves, the thought goes, then it is necessary for them to be able to debate, evaluate, and make judgments about what they desire from government and how those goals ought to be pursued. Self-government therefore seems to require that we cultivate and make use of the human capacity for reason, not only as individuals, but also as the body of citizens who pursue together the aims of the polity. Just as common, however, is the lament that, especially when it comes to politics, we are guided less by reason than by things like passions, short-term thinking, prejudices, partisan loyalties, idealism, and fear. As a result, the question of the rationality of ordinary political discourse, how rational we can hope to make politics, and the implications of the answers to these questions for our thinking about the organization and purpose of political institutions are of increasing concern to political scientists. We are prompted to a new analysis of this question by the growing body of scholarship that challenges the dominant theory according to which human beings are rational actors who maximize preferences along an economic model.[1] But while recent scholarship has once again brought the significance of these questions to the fore, the concerns that drive them are as old as politics itself. This dissertation argues that by turning to the political thought of Cicero, we can both broaden and deepen our understanding the way that human irrationality manifests itself in politics. To see why

[1] For examples of rational choice theory within political science, see William Riker's "The Political Psychology of Rational Choice Theory" (1995) and "Political Science and Rational Choice" (1990; this essay is contained in a volume dedicated to the application of the rational actor theory to political processes). The claim that human decision-making can be explained by and modeled on the maximizing of preferences has also had wide influence beyond those who subscribe explicitly to rational choice theory in many areas of political science. See, for example, David A. Lake and Robert Powell's *Strategic Choice and International Relations* (1999), Lee Epstein and Jack Knight's *The Choices Justices Make* (1998), and Jeffrey A. Segal and Harold J. Spaeth's *The Supreme Court and the Attitudinal Model Revisited* (2002).

Cicero's political thought is especially valuable in this endeavor, it will be helpful first to examine the most powerful recent challenge to the view that human behavior can best be described as the rational pursuit of interests as well as the political recommendations proposed by those for whom this challenge is compelling.

The view that human beings can accurately be described as rational actors has been most notably called into question by Daniel Kahneman, whose work has been a key source in the drive to reexamine how we ought to account for the weakness of human reason in the political arena. Kahneman's *Thinking, Fast and Slow*, argues that the extent to which we make thoughtful calculations in pursuit of our preferences has been vastly over-estimated by rational choice theory. He argues, however, that this over-confidence in our rational capacity is not limited to models of behavior constructed by social scientists, but is rather a "pernicious illusion" to which all people succumb on regular basis (2011, 201). On Kahneman's view, while we "think of ourselves" as "the conscious, reasoning self that has beliefs, makes choices, and decides what to think about and what to do," we, more often than not, make decisions—even those we regard as of paramount importance—on the basis of involuntary "impressions, intuitions, intentions, and feelings" with "little or no modification" by deliberate and effortful calculation (2011, 21-24). According to Kahneman, we form our judgments and make choices without noticing that we are making mistakes, for example, on the basis of irrational prejudices against certain types of behavior or the perception of patterns that do not exist. For these reasons, he argues, people cannot be expected to act consistently in ways that accord with their interests.

Kahneman's account leads him to the conclusion that best way for political institutions to address this fact of human psychology is to adopt an attitude of "libertarian paternalism," popularized by Cass Sunstein and Richard Thaler's *Nudge* (Kahneman

2011, 413). Like Kahneman, Sunstein and Thaler argue that human thinking is divided into two "systems:" one "intuitive and automatic" on which we unconsciously rely for most of our thought and action, and the other "reflective and rational," to which we mistakenly attribute most of our thinking (2008, 19).[2] They show, however, that this view of human psychology presents a fundamental problem for modern democratic politics. On one hand, Sunstein and Thaler wish to maintain as a central tenet of liberal democracy "the straightforward insistence that, in general, people should be free to do what they like" (2008, 5). But, on the other, they argue that the assumption that "almost all people, almost all of the time, make choices that are in their best interest or at the very least better than the choices that would be made by someone else…is false—indeed obviously false" (2008, 9).[3] The political order that leaves its citizens wholly free to fail in the pursuit of their own interests cannot claim to rule for their good.[4] It is, in addition, impossible for the regime to avoid shaping thought and behavior (2008, 10-11). All laws and polices, by proscribing certain actions and encouraging others, influence the way we think and act. Indeed, not only law, but also "social influence" shapes our thinking because of the great weight we lend to the approbation of our peers (2008, 54-55). Sunstein and Thaler conclude, then, that in order to resolve the problem of irrationality

[2] Sunstein and Thaler, however, build their political claims partly on the foundation of Kahneman and Tversky's earlier psychological insights (Sunstein and Thaler 2008, 23). For Sunstein and Thaler's account of the basic ways that thinking we perceive as rational actually falls short of rationality, see (2008, 22-37). The same distinction drawn by Kahneman and Sunstein and Thaler has also been applied directly to moral thinking by Joshua Greene, who argues in *Moral Tribes* (2013) that our moral judgments can be divided into the automatic and instinctual moral reactions that have evolved over time, allowing human beings to live together in groups, and the reflective rational ability that adds flexibility to these instincts.

[3] See also Sunstein and Thaler 2003, 1160-1163.

[4] Sunstein and Thaler do not address why the freedom of choice to which they are committed is worth preserving. Ben-Porath, building on the work of Kahneman and Tversky, and Sunstein and Thaler, similarly assumes the commitment to freedom of choice, but argues that libertarian paternalism is necessary in order to balance freedom with the goal of promoting equality (2010). Against Sunstein and Thaler, Sarah Conly's *Against Autonomy* (2012) uses Kahneman's psychology to argue that freedom itself is too great an obstacle to the pursuit of our interests and that we ought to adopt a straightforwardly coercive paternalism.

without restricting liberty, the regime should use law and "social influence" to shape the way that difficult choices are presented so that citizens are more likely to choose what is good for them but remain free to choose the opposite (2008, 72).

Sunstein and Thaler point especially to the difficulty human beings seem to have in pursuing what is good for us when it requires self-control. In such cases, we experience conflict between our reflective side that "[tries] to promote…long term welfare" and the "feelings, mischief, and strong will" of our impulsive side that "is exposed to the temptations that come with arousal" (2008, 42, 73). The pervasive irrationality and failure to pursue our interests is not then only a problem of the power of unconscious intuition, but of the way our intuitions, desires, and judgments interact with each other. As Sunstein and Thaler suggest, we are conscious of conflict between them, but often fail to overcome the power of temptations and feelings for the sake of goals we recognize as good (2008, 42). Moreover, their own presentation of the problem of self-control suggests that, while they call the impulsive side of our psychology automatic and unreflective, it nevertheless carries its own considerations of what is good for us—the "strong will," in their words—the force of which we are aware and with which we consciously try to grapple. It is strange, then, that Sunstein and Thaler largely reject the usefulness or possibility of an education that might aim to enable citizens to grapple with this sort of psychological conflict more successfully (2008, 74-75). They do not propose to attempt to alter or improve how we think, but rather to use the common inadequacies of everyday thinking to direct us toward goals the good of which we may or may not recognize. They claim that with respect to life's most difficult choices, discerning and pursuing what is in one's own interest is closer to "solving the relevant mathematical equation" than it is to habituation or learning "through trial and error" (2008, 74; see also 241).

In order for law and policy to address the way that human irrationality affects behavior, we must therefore look for guidance to experts, whose technical knowledge can determine what is best in a given case. With their knowledge, experts can also predict the ways that citizens will fail to pursue their own interests, and attempt to circumvent these shortcomings by gently pushing us to the correct path (2008, 247). In order to ensure that they act in the best interest of the citizen body, Sunstein and Thaler argue that these experts ought to be bound by "rules of engagement that reduce…abuses, that promote healthy competition, that restrict interest-group power, and that create incentives to make it more likely that the architects will serve the public interest" (2008, 240). In other words, it is necessary also to nudge the nudgers. But Sunstein and Thaler do not address where the moral framework that informs these rules comes from. They also neglect to explain what it is about the expert's knowledge that makes him less susceptible to the weakness of self-restraint that plagues most people most of the time. Kahneman is somewhat less confident in the rule of experts than Sunstein and Thaler, but his reservation lies in his worry that experts may not "endeavor to protect the public" from painful irrationality as well as elected officials (Kahneman 2011, 144, see also 141-145). Indeed, Sunstein and Thaler and Kahneman—to a lesser extent—all seem to assume or simply have faith in the power of reason alone to overcome (what they claim) is the natural human condition.

If they are right, however, that we think of ourselves primarily as reasoning beings adequate to the task of making competent choices, it is questionable whether libertarian paternalism, however gentle, can be satisfying for us. Indeed, their own view of the over-confidence we have in our rationality suggests that this is a characteristic of human thinking which cannot be so easily ignored or sidestepped. It is worth asking also what the roots are of the commitment to the public interest that Sunstein and Thaler wish

to safeguard and on which the goodness of lawmaking depends. It is here that turning to Cicero is especially helpful. Cicero addresses the political implications of the pervasive irrationality identified by modern social science in such a way that takes better account of the importance of how we think about ourselves, even if that thinking is ultimately mistaken. While "libertarian paternalism" discounts the attachment we tend to have to our own judgments, and attempts to circumvent sub-rational decision-making, Cicero cautions us that the proper guiding and understanding of politics requires a deep appreciation of the tangle of judgments, motivations, attachments, and concerns we bring to political life. Moreover, he delves more deeply than the libertarian paternalists into the rational and irrational sources of the attachment to the common good and outlines on this basis a civic education that attends to the necessity of cultivating that attachment in a self-governing regime.

As a result, scholars have recently begun to turn to Cicero's republican teaching as the origin of a rich alternative to the Lockean republicanism dominant today. Such scholarship, however, tends to miss that Cicero's insistence on the importance of attending to ordinary opinions and desires does not come from a simple acceptance of their soundness or from an idealization of republican politics. This has led to widely divergent interpretations of the basis of Cicero's defense of republicanism. Paul Weithman, for example, finds in Cicero a "perfectionist republicanism" based on a "highly moralized [theory] of politics" in which citizens are required "to develop and exercise traits of character which are genuine human excellences" (2004, 293). Conversely, Philip Pettit appeals to Cicero as the originator of a tradition of republicanism at the core of which is the understanding of freedom as "non-domination."[5]

[5] See also Nicholas Buttle 2001, Quentin Skinner 1990, Maurizio Viroli 1990, Fott 2009, and Clarke 2014 for treatments of the relation of Cicero to this republican tradition. Skinner and Viroli both present a more detailed account of the influence of Cicero's *De Officiis* on Renaissance republicanism and argue that

According to Pettit, non-domination is an "an ideal of liberty" that stems not only from the things people want, but also from what we esteem (1997, 25, 80-81). He argues that "freedom involves emancipation from any [arbitrary] subordination" and requires "a shared awareness" that no citizen "has a power of arbitrary interference over another" (1997, 5, 19). Such a view of freedom, he argues, offers a moral justification for democracy and grounds upon which democratic institutions can and ought to be organized (Pettit 2000, 54-55). Pettit's emphasis on non-domination points to an important aspect of Cicero's political thought. Indeed, Cicero's reflections on the political significance of the desire for the kind of freedom that "does not consist in employing a just master" are a crucial element of his teaching about the organization of a good regime and the ends of government (*DR* II.43).[6] Democracy, Cicero suggests, finds its greatest justification in the sweetness of freedom that is unavailable in any other political order (*DR* I.47, 55).

While it is true that unlike Aristotle, whose *Politics* emphasizes the justness of ruling and being ruled in turn, Cicero includes something like a view of freedom as "non-domination" in his teaching, Pettit is mistaken in his association of this element with the core of Cicero's political thought.[7] Cicero's republicanism is not straightforwardly democratic.[8] The sweetness of freedom does not, for Cicero, prove the superiority of

---

Machiavelli and other Renaissance humanists took from Cicero especially his understanding of the virtues and civic fellowship. See Clarke's essay for a thoughtful argument against Skinner's view.

[6] Cicero's works will be cited throughout using the following abbreviations: *ATT = Letters to Atticus, DD = De Divinatione, DF = De Finibus*, *DND = De Natura Deorum*, *DO = De Officiis*, *DOR = De Oratore, DR = De Republica, PM = Pro Murena, TD = Tuscualanae Disputationes*. Specific editions used are noted in the bibliography. Translations have been modified on occasion.

[7] See, for example, *Politics* 1261a32-b9.

[8] Rahe offers a compelling account of the ambivalence with which America's founding generation regarded Cicero. As he documents, evidence abounds that the founders read Cicero, but that "men like Adams and Jefferson openly doubted" whether the virtues he defended "really deserved admiration" (1994, 75). This dissertation argues, however, that Cicero's thought is of value to us not because it recovers the concerns of the founders, but because it offers serious, but underappreciated reflections on a question with which any republic must be concerned.

democracy to other forms of government. According to Scipio, who leads the conversation in Cicero's *De Republica,* monarchy, aristocracy and democracy all have advantages, but, of the three, monarchy is intrinsically preferable (*DR* I.54, II.43, 47). The mixed regime, which Scipio professes to prefer to any other option, is necessary not because of an unfairness of monarchy or the simple reasonableness of the people's desire for freedom, but because "the nature of political things often defeats reason" (*DR* II.57). Cicero argues that attention must be paid to demands for this sort of freedom as a prudential calculation for the preservation of concord within a regime (*DR* II.54). Thus Cicero's republican teaching, which is recognized primarily for doing full justice to our deeply held opinions (see also Hammer 2008), derives not only from his admiration for republican self rule in which men of real virtue guide the regime, but also from his understanding of the irrationality of politics. Whereas the libertarian paternalists' response to irrational behavior is to point government toward the role of a benevolent care-taker, Cicero suggests that it is precisely because we tend to behave irrationally that we would not accept for long even a just and wise paternalism in which our "safety, equality, and tranquility" were ensured (*DR* II.43). But Cicero's understanding of the irrationality of politics does not lead him, as a result, to belittle or ignore it. He recognizes that it is especially in political activity—in our belief that happiness requires the active participation in and virtuous devotion to the regime—that the most noble and impressive parts of our nature shine forth. Cicero shows that it is not only because of what is worst in us, but also because of what is best in us that political deeds often defy reason. Most crucially, he shows that the cultivation of concern for the common good and the commitment to civic fellowship in a healthy polity rely not only on reason, but also, and perhaps more, on the kinds of nonrational and irrational attachments we form in friendships and familial life that extend the way we think about our own good beyond

calculations of self-interest. Cicero argues that healthy politics depends upon and makes use of human irrationality in a way not recognized by contemporary political psychologists or by scholars of Cicero's political thought.

The attempt to address irrationality in politics requires, in addition, reflection about the role that political science itself plays or ought to play in guiding political life. How much, for example, should law-makers rely on statistical analysis or behavioral models that reduce reality to a small set of variables when forming policy? How do not only statesmen, but also ordinary citizens, develop the kind of judgment that can adequately evaluate their own and their government's actions? Just as Sunstein and Thaler argue that the rule of experts is necessary to identify and pursue what is best for human beings, the popular philosophical schools of Cicero's day claimed to gain a better understanding of politics and human nature by standing above the fray of the nitty-gritty of ordinary political life. Cicero, who was deeply involved both in the practical politics of his regime and in the study of human nature, makes reflection on this claim a central theme of his works. As perhaps the first student of Socratic political philosophy to observe first-hand the influence of popular philosophy on politics, his perspective is unique in the history of political thought. The rich political psychology that informs his view of the best political order brings to light his recognition that attempts to reduce politics to a set of rational rules obscure, rather than clarify, the way our judgments and concerns manifest themselves in the political arena. The direct treatments of popular philosophy (primarily of the Stoics and the Epicureans) in Cicero's works indicate that he viewed this reductionistic tendency as an essential characteristic of popular philosophy. Through his analysis of the schools, Cicero thus raises the question of the proper relation

of political science or political philosophy to practical politics.[9] If, however, Cicero is right that popular philosophy has a tendency to oversimplification because of its need to reach a widespread audience, the ability of popular philosophy to provide guidance to political actors must be questioned. As Walter Nicgorski notes, the schools "abuse reason by their forced attempt to explain with certainty and consistency all things" (Nicgorski 1984, 571; see also 1991, 236, 243). Indeed, as Cicero shows, this tendency can have politically pernicious effects.

This dissertation argues in addition that Cicero's own claims to bring philosophy to Rome must be understood in light of his critique of popular philosophy. He wished not only to make Rome safe for Socratic philosophy, but to preserve as much as possible the soil from which philosophical reflection might spring. This required, in Cicero's view, the defense of republican politics. Analysis of Cicero's presentation and critique of the Stoic school of thought reveals that Cicero's political project was not the popularization of philosophy, but rather its opposite. Tracing Cicero's presentation of popular philosophy shed lights on the dangerous effects on both politics and philosophy, not simply of Stoicism, but of the popularization of the intellectual pursuits in general insofar as they share Stoicism's reductionistic tendency. Only by understanding this aspect of Cicero's thought can we understand his reflections on the nature of politics and the virtues of republicanism**.** As will be shown, Cicero's project seeks to return to politics the dignity that we naturally attribute to it and, by doing so, to preserve the possibility of serious statesmanship. Through it Cicero seeks to direct us back towards

[9] Cicero speaks of the *scientia rerum civilium* or "the science of political things" and claims that it was studied by "those whose authority and reputation stand highest among learned men," that is, Plato and Aristotle (*DR* I.11-12; *DF* IV.5, 61). Insofar as he understands philosophy to require the concern with political things, and true knowledge of political things to be based upon a philosophic foundation, Cicero does not recognize a distinction between political philosophy and political science (cf. *DO* II.156, *TD* V.10).

the reflection on and understanding of the political elements of human nature as the best grounds for genuine political science.

Much of the scholarship on Cicero's political thought deals with the question of how he understood the relationship between politics and philosophy (in addition to the recent scholars, noted above, who look to Cicero for an alternative republican theory). Among these studies, few, however, take up Cicero's evaluation and modification of the schools' teachings thematically.[10] Studies of Cicero seem to divide roughly into two sets: those who see a fundamental disconnect between Cicero's apparently universalistic moral teaching and his political allegiance to the Roman elite, and those who claim that Cicero consciously attempts to synthesize philosophy and politics by turning philosophy to the service of the public good. It will be helpful to consider here a small representative sample. The most influential scholars on each side of this debate have been Neal Wood and Walter Nicgorski respectively.[11]

For Wood, Cicero's thought is valuable especially because it marks the beginning of the "transition to modern political thought" from Greek philosophy (Wood 10-11). According to Wood, Cicero anticipates thinkers such as Machiavelli, Hobbes, and Locke by presenting the first "concise formal definition of the state" as having the "central non-moral purpose" of the protection of property (Wood 11).[12] But this understanding of the

---

[10] Douglas Kries 2000, Walter Nicgorski 1984, J. Jackson Barlow 1987, and Thomas Pangle 1998 are notable exceptions. Martha Nussbaum 2000 includes a helpful discussion of the political implications and problems of classical Stoicism, but argues that Cicero's departures from Stoic doctrine stem from his "highly partisan politicking" (Nussbaum 2000, 202). Atkins 2013 offers a thoughtful analysis of Cicero's response to Stoicism and his account of the limits of reason in political life, but focuses on *De Republica* and *De Legibus* rather than offering a systematic treatment of the works in which Cicero confronts the schools directly.

[11] Along with Wood's *Cicero's Social and Political Thought*, Nicgorski's "Cicero and the Rebirth of Political Philosophy" (1978), "Cicero's Paradoxes and his Idea of Utility" (1984), and "Cicero's Focus From the Best Regime to the Model Statesman" (1991) are cited in most recent works on Cicero's political thought.

[12] Against the view that Cicero presents a "non-moral" definition of the state, see Bryan-Paul Frost (2010), who argues that Cicero seeks to add philosophy to Roman civic education in order to provide political men

state reveals, on Wood's view, a contradiction in Cicero's thought. Cicero, on the one hand, has a "deep and lasting belief in the moral equality of human beings" and, on the other hand, accepts "an inegalitarian society" (Wood, 76). Moreover, says Wood, there is no evidence that Cicero himself is aware of the tension inherent in his theoretical and political positions (*ibid*). Wood is ultimately compelled to see Cicero, if not as "solely an ideologist or simpleminded apologist for the existing ruling order," then as "a spokesman for the supreme control of the Roman state by his own class" whose moral position goes only so far as to offer a friendly critique of that class in the hope of restoring its health (Wood, 209-10). In her study of *De Officiis*, Martha Nussbaum also finds a tension between Cicero's purportedly proto-Kantian understanding of justice, which contains "an idea of respect for humanity, of treating a human being as an end rather than a means" according to a rational natural law, and the primacy he assigns in that work to conventional property rights (Nussbaum 2000, 183, 202).[13] Although it will be shown that neither Wood's nor Nussbaum's view does justice to Cicero's depiction of virtue, there is nevertheless something to their line of thought. Cicero's works present lofty and beautiful conceptions of virtue and civic dedication, but often fail to censure politics as usual when it falls short of virtue.[14] That is, the tension to which each points is real. But we should not be too quick to accept the conclusion that Cicero is unable to distance himself from an elitist nostalgia for the power of the aristocracy in republican Rome. Against this view, I argue that Cicero's works also show that his presentation of this

---

of the future with a "moral compass" (2010, 392). For others who see Cicero as a precursor to modern thought, see, in addition to the essays by Skinner and Viroli noted above, Gary Remer 2010. Insofar as Remer argues that Cicero presents a teaching about representation that foreshadows the thought of John Stuart Mill and Edmund Burke (2010, 1069-1073), he departs from Wood, who sees "no notion of political representation" in Cicero's thought (Wood, 11).

[13] For additional critical assessments of Cicero along this line, see J.M. Carter 1972 and H.J. Haskell 1942.

[14] As Wood and Nussbaum attest, this is nowhere clearer than in Cicero's discussion of property in *De Officiis* (see, for example, *DO* I.20-21).

tension is a deliberate attempt to help his reader reflect on the limits to which we can hope to cultivate reason and moral virtue in political activity and the extent to which citizenship in a republic is good for us in spite of its inevitable shortcomings.

If the difficulties to which Wood and Nussbaum point can be addressed by attention to Cicero's political pragmatism, a more serious critique of Cicero's thought is presented by Eric Voegelin that brings to light the immediate problem with which any reader of Cicero's philosophical works is confronted. We might understand the problem in Cicero's writings to which Voegelin responds in the following way. While Cicero claims to be a student of Plato, he seems to have lived his life in an entirely un-Platonic manner and at times seems to express an entirely un-Platonic understanding of philosophy. Cicero goes to great lengths to remind his readers that he spent the majority of his life deeply involved in politics as a statesman and defender of the Roman republic. Moreover, it appears that he turned to philosophical reflection and writing only when he was exiled from the political arena (*DO* III.1; but cf. *DR* I.7, *DND* I.6). One might wonder, then, whether we can take seriously the philosophical claims of a man who merely dabbled in philosophy and regarded it as a distraction from the failure of his political career. Furthermore, while Cicero seems to accord the highest dignity at times to political activity, at other times he accords this honor to the philosophical life (and sometimes he does both within one work). He presents a simultaneous critique of philosophy on behalf of moral and political virtue and a defense of philosophy as the only truly virtuous activity. In response to this difficulty, Voegelin writes:

> The thinker who can speak of philosophy as a "foreign learning," to be respected but nevertheless to be considered as a spice that will add perfection to superiority, has, one may safely say, understood neither the nature of the spiritual revolution that found its expression in philosophy nor the nature of its universal claim upon man. The peculiar way in which Cicero mixes his respect for Greek philosophy with amused contempt indicates that the truth of theory, while sensed as an

> enlargement of the intellectual and moral horizon, could have no existential meaning for a Roman (2000, 161).

This problem cannot be avoided by attempting to separate Cicero's reflections on wisdom or the life of contemplation from his reflections on political activity, for Cicero makes his involvement in politics a major theme of his philosophical writings. In *De Officiis*, for example, he appeals to his political experience has the justification of his claim to speak authoritatively about virtue (*DO* I.2). Cicero thus forces his reader to take up the problem that his political activity raises for his political philosophy. It is not clear, however, that in keeping in mind his political activity we must conclude, with Voegelin, that for Cicero "the highest rank…is held by the man who can add the 'foreign learning' to his ancestral customs" as "a spice that will add perfection to superiority," or that "if a choice must be made…the *vita civilis* of the statesman is preferable to the *vita quieta* of the sage" (2000, 161). Neither Cicero's appreciation that philosophy is alien to the Roman political order nor his occasional statement that philosophy does not decisively improve that order prove that he therefore does not also appreciate the full meaning of philosophy. According to Cicero, "philosophy is a pursuit which, once entered upon, cannot be limited or held back…I regard as more just those who would altogether turn me away from philosophy, than those who would set bounds on the infinite and desire moderation when the greater the study, the greater the reward" (*DF* I.2; see also *TD* 2.1, *DR* I.26-28). Cicero seems, then, to reject just the sort of view that Voegelin attributes to him (and to all Romans).

Voegelin's characterization of Cicero is more understandable if we recall that Cicero also argues that virtue's "greatest use is the governance of the city and the completion in fact, not in speech, of the same things as [philosophers] shout about in corners" (*DR* 1.2; see also *DO* I.19). Cicero goes so far as to claim that "the philosophers

say nothing…that was [not] accomplished and strengthened by those who have configured laws for cities" (*DR* I.2). Yet Voegelin, by attending only to this element of Cicero's rhetoric, misses the depth of its purpose. Preliminary reflection on Cicero's theoretical works suggests that he made a conscious effort to present his writings in this problematic way. Voegelin rightly sees that Cicero often and explicitly criticizes philosophy as of little importance to the real world of practical politics. Because he disregards the fact that Cicero *also* praises the life of the philosopher as the only truly human life (*DR* 1.28, see also *DO* I.13, 18), Voegelin is unable to see that the subordination of philosophy to politics cannot be understood as Cicero's final view on the matter. It seems instead that by, on one hand, presenting himself both as a morally serious political man and a lover of wisdom and, on the other, insisting on the ultimate incompatibility of politics and philosophy, Cicero wishes to force his reader to notice and grapple with what seems to be the contradiction or tension in his own life. Voegelin merely notices the contradiction. What he does not notice, as I will attempt to show, is that Cicero notices it as well. By clarifying the way in which Cicero presents a serious theoretical critique of Stoicism at the same time as he incorporates elements of it into his moral and political teaching, it will be possible to begin to untangle the apparent incoherence that has led Voegelin and others to accuse Cicero of almost impenetrable eclecticism and a lack of philosophical seriousness.

Nicgorski has been the most consistent defender of the coherence of Cicero's thought against the views put forward by Wood and Voegelin (see, for example, Nicgorski 1978, 68, 79; 1984, 558-9). According to Nicgorski, the unifying principle of Cicero's thought derives from his attention to the human "need for society, the need for moderation, and the need for seeking wisdom," which are "different aspects of the overall requisites of human nature as revealed in its fundamental inclinations" (Nicgorski 1984,

563). Of these inclinations, Cicero is concerned in particular with the possible tensions between wisdom and justice. But while Cicero considers "the inclination to truth or wisdom…more so than others, as peculiarly characteristic of human beings," Nicgorski argues that "as a way of life within the usual human condition, such philosophizing is contrary to the duties imposed on men" in Cicero's view (Nicgorski 1984, 565-6). Cicero, he claims, makes the case for the primacy of the life of the statesman "largely as a matter of common sense" rather than "as a tight philosophical argument" (*ibid*).[15] Philosophy, says Nicgorski, is necessary only insofar as it guides and educates the statesman, whose virtuous activity is the necessary condition for all human goods (Nicgorski 1984, 572-3). While Nicgorski is particularly helpful in clarifying Cicero's view of the way that political activity cultivates an expression of some of the highest and most impressive aspects of human nature, I depart from his reading insofar as he claims that, for Cicero, philosophy is "fitting and fulfilling" only "after all public tasks have been completed or in the life after death" (Nicgorski 1984, 566). Although Nicgorski suggests once that Cicero understands philosophy to "[entail] searching for and laying bare the truth," he concludes that "philosophy must, for Cicero, be justified at the bar of common sense," and that this is achieved only if it is "made subject to the moral claims of the needs of human nature" (Nicgorski 1984, 558, 572). If, as Nicgorski also notes, an "essential dimension of [politics] is not rational," then philosophy, having been "made subject to the needs of political life," cannot be measured by "that which survives the test of examination and argument" (Nicgorski 1991, 236; 1984, 558). Nicgorski's view of Cicero is, in this way, surprisingly similar to (though, of course, more sympathetic than)

[15] Hammer, however, argues that Cicero's preference for the political life over philosophy rests not only on a practical moral claim, but also a theoretical one. In his view "Cicero reverses [Plato's] hierarchy: the statesman not only most resembles the divine in his ability to make a world, but the political life is superior to the philosophic because it affects more people" (2008, 44; see also Glendon 2011, 23-25).

that of Eric Voegelin, whom he wishes to refute.[16] Ultimately, both argue that Cicero transforms a way of life committed to the rigorous rational examination of nature into a noble but subordinate pursuit that seeks clarity about politics only to the extent that it neither undermines nor detracts from the fulfillment of political obligations.

Against this reading, I argue that Cicero indeed gives full expression to the complexity of healthy civic life and, in doing so, attends to the ways that it depends not only on reason but also on a moral teaching that draws on natural but nonrational—and perhaps irrational—passions and attachments. The strength of Cicero's articulation of political life is rooted especially in this attention, in his insistence that the scientific investigation of human nature must include an account of the fact that human beings are not perfectly rational by nature. Cicero's writings show, however, that he understands this investigation to form the heart of the way of life most conducive to happiness for human beings apart from any relation it may have to political utility. For Cicero, then, the tension between the demands of politics and those of philosophy is not resolved unambiguously in favor of the primacy of politics. Cicero nevertheless recognizes that because human beings most often fail to live according to the dictates of reason alone, the political order that not only allows an outlet for our irrational behavior, but also cultivates meaningful association among fellow citizens is truly beneficial for us. He therefore attempts in his writings to navigate the tension between politics and philosophy in such a way that is conducive to the thriving of both (Strauss 1950, 155).[17]

---

[16] Cf. Voegelin's claim that, for Cicero, philosophy "add[s] perfection to superiority" with Nicgorski's formulation: "Cicero's teaching about the priority of the active political life makes the point that men have served and can serve the public well with no special assistance from philosophy…It appears nonetheless that natural virtue can be strengthened and refined by that branch of philosophy…that produces prudence" (Nicgorski 1984, 568).

[17] See also Kries 2000 and Frost 2010. Wilhelmsen and Kendall also claim that Cicero recognizes a discrepancy between "the demands of the transcendent and of society," but conclude that this recognition leads Cicero to "invent two truths" that separately and irreconcilably ground philosophy, on one hand, and political orthodoxy, on the other (1968-69, 89, 99). Against this view, it will be argued that Cicero shows

In order to shed light on the intention and the substance of Cicero's political and philosophical project, this dissertation examines the works in which Cicero's confronts directly and responds to the teachings of the popular philosophical schools. I begin in Chapter 2 by tracing Cicero's critique of the moral teachings of the schools and his evaluation of the effect of philosophical doctrine on both political life and philosophy itself. Chapter 3 turns to *De Natura Deorum,* in which Cicero considers, on one hand, the relation of civic virtue to piety and, on the other, the possibility of wide scale enlightenment by means of the rationalistic theologies of the schools. Finally, Chapter 4 examines Cicero's presentation of his own moral teaching in *De Officiis* as a salutary corrective of the practical and theoretical deficiencies of the schools. By considering Cicero's civic education in light of his critique of popular philosophy, will be possible to clarify more fully the connection that he draws between human irrationality and the virtue that is both admirable and necessary for healthy politics and the relation of that virtue to the good for human beings.

---

that the different demands of politics and philosophy can be understood to spring from one coherent view of human nature.

Chapter 2: The Moral Teaching of The Schools[18]

> "He is the first, among the Romans, who rescued philosophy from the hands of scholars, and freed it from the confusion of a foreign language. He made it common to all men, like reason, and in the commendations that he received from them, men of letters found themselves in accord with the people."[19]

When we ask about the extent to which reason can rule the political sphere, we are really asking two different, but related practical questions. On one hand, we wish to know whether it is necessary and possible for citizens to rule their own lives rationally in order to achieve the ends that we seek in political life. And, on the other, we ask whether and to what degree the education of statesmen or those who guide the regime must include the mastery of political science (or political philosophy). Perhaps more than any other classical political philosopher, Cicero's writings show a deep concern both for the health of politics and for the health of philosophy. Thus, his attention to the influence of the spread of popular philosophy and its impact on political life and philosophical inquiry is especially instructive in our efforts to understand the possibility of rational politics. Indeed, it is in those works in which Cicero confronts the teachings of the philosophical schools—teachings that explicitly claim, as does modern political science, to rise above the mistakes and incoherence in ordinary thinking and better to understand human nature and the primary motivations for our actions—that he presents an account of the pitfalls that plague philosophy in its popularized form and presents at the same time his own political psychology as a corrective.

Cicero offers a few clues about where, among these works, to begin. In *De Divinatione*, he presents a brief catalog and description of his theoretical works (*DD* II.1-

[18] All citations in this chapter, unless otherwise noted, are to *De Finibus* (Cicero 2001).
[19] Montesquieu's "Discourse on Cicero" (2002, 734).

4)[20]: "since the foundation of philosophy rests on the ends of good and bad," he writes, "that subject has been explained by us in five books and in such a way that the conflicting views of the different philosophers might be understood" (*DD* II.2).[21] Cicero thus alerts us to a number of important features of *De Finibus*. First, it contains the "foundation of philosophy," by which Cicero understands especially human things: questions of what things are good and what bad, and what the goal is towards which these things point us. Second, Cicero also indicates that the purpose of *De Finibus* is not merely to catalog different views.[22] The presentation of the views of the philosophers is a crucial element, but not the most important goal of the work. Comparison of the views of the philosophers is rather the primary tool—the lens through which the inquiry will be made—by which Cicero explains (*perpurgo*) and helps his reader to understand (*intellego*) his fundamental reflections on philosophy and human nature.

Cicero confirms the importance of *De Finibus* and its subject in the introduction to the work. He writes that "one who was accustomed to read carefully the things which we committed to writing about philosophy, will judge none to be more worth reading than this" (I.11; cf. II.86). Cicero's initial explanation of the subject of the book is, however, ambiguous. In this work he treats "what the end [is]...to which all our deliberations on living well and acting rightly should be directed" and what "nature [pursues] as the highest of things to be sought, what she [shuns] as the greatest of bad things" (I.11). Cicero thus presents the work's central theme in the form of two separate

[20] *De Divinatione* was completed early in 44 B.C. and does not include *De Officiis* (written later that year) in the catalog of works.
[21] The "five books" refer to the three conversations presented in the five books of *De Finibus*.
[22] Many modern readers of Cicero have, nevertheless understood him in this way. Consider, for example, Rackham's introduction to his translation of *De Finibus* (1951).

questions: what is the aim or standard for right (*recte*) action, and what does nature pursue and flee?[23]

If we follow Cicero's suggestion to read closely, consideration of the relation of the two questions reveals the nature of the ambiguity. It is possible that the second question is the answer to the first: understood this way, the highest things that our nature seeks would be the end to which all concerns about living well and acting rightly must refer. But such an interpretation cannot quite account for the different standard from which each question begins. Indeed, by formulating the main concern of the work as two different questions, Cicero quietly raises the possibility that each question may have a different answer. The first question is specifically moral, for the question of what actions are right is a question about virtue and, above all, about justice. The second question may be moral, but it also may not be. The aim of virtuous action may not be in complete accordance with the highest thing that nature pursues. The answers to the two questions converge only if the moral life is the life according to nature. This, according to *De Finibus*, is the popular teaching of the Stoics and it is a possibility that Cicero himself takes very seriously. Moreover, if the Stoic teaching were true, then its dissemination would likely be a salutary element of any civic education. The seriousness with which Cicero considers the Stoic teaching does not, however, suggest his wholesale agreement with it. Indeed, Cicero begins *De Finibus* by calling into question the character of the connection between right or virtuous action and the good according to nature. He also

[23] Walter Nicgorski also takes the passage noted above in *De Divinatione* to indicate the foundation or "starting point" of Cicero's philosophical investigations (1984, 561). His focus on the connection of right and utility in *De Officiis* as indicative of that starting point neglects, however, Cicero's subsequent claim in *De Divinatione* that he treats the foundation of philosophy in *De Finibus*. Nicgroski thus departs from Cicero's own indication of how his philosophical investigation progresses from this starting point. While Nicgorski begins from the premise that "whatever way…Cicero understands the right or the good and, hence, the foundation of all philosophy, this right or good must be one with utility," *De Finibus* shows that we must begin by asking questions about the meaning of justice and the good and their relation to each other.

will come to question explicitly the good effect that Stoicism has on political activity. Reflection on and clarification of the proper relation between philosophy or science as it becomes increasingly popularized and politics is thus critical to Cicero's investigation of nature and justice in *De Finibus*.

CICERO'S AUDIENCE

The ambiguity in the presentation of *De Finibus'* central questions is also rooted in the different audiences to whom Cicero calls attention in the book's opening lines. With almost his first words, Cicero reveals the criticism he anticipates receiving for writing a work of philosophy. *De Finibus* thus begins by suggesting to its reader that Cicero does not presuppose the goodness of philosophy. It is in need of a defense. Indeed, Cicero's rhetoric in this section shows that he does not dismiss lightly the most powerful arguments of his accusers. He presents and responds to four different audiences and their critiques. There are people, Cicero says, "by no means uneducated," who simply disapprove of philosophizing altogether. Others do not disapprove so much "if it is done in a more easygoing manner, but consider that one should not devote so much of one's enthusiasm and attention to it." Some others, "learned in Greek letters," are contemptuous of Latin. The final group questions Cicero's subject out of a belief that "this kind of writing…[is] not worthy of [his] character and position" (I.1).

The difference between Cicero's own view and those of these accusers is, in fact, indicated even before he addresses them directly. Cicero writes that in this work he puts "into Latin letters…speeches which have been treated in Greek" (1.1; cf. *DND* 1.6-8). While some scholars have taken statements like this in Cicero's corpus to mean that Cicero understands philosophy to have been a Greek activity that he not only translates but also fundamentally alters in order to give it a home in Rome, the statement that opens

De Finibus does not require this interpretation.[24] Indeed, the presence in Rome of many people who found philosophy quite attractive complicates the claim that philosophy is alien to Rome.[25] The Roman statesman Cato, who describes his understanding of Stoic philosophy in Book III, already appears, according to Cicero, "to be teaching philosophy Latin and, as it were, granting her Roman citizenship" (III.40). To take up new citizenship is to renounce the commitments and principles of one country in favor of the new, possibly quite different, principles of another country. By granting philosophy Roman citizenship, then, Cicero implies that Cato fundamentally transforms the meaning of philosophy into something that is more in keeping with the laws and customs of Rome.

Cicero does not portray himself as engaged in the same activity as Cato. Cicero states only that the speeches he discusses have, until his time, been treated in Greek. These speeches are not, or at least not necessarily, Greek in nature. Cicero admits that philosophy is foreign to Rome but he does not accept that it must follow that a Roman is incapable of understanding Greek philosophy or that the Latin language is incapable of sophistication or of presenting philosophical accounts of the most serious kind. However, if Cato and others have already given philosophy a place in Rome, it is unclear what Cicero means even by the claim that the speeches have only until his time been treated in Greek. Cicero cannot have meant that his own accomplishment was the mere translation or repetition of Greek thinking for Roman citizens, for this had already been

[24] Among Cicero's modern readers, a number of both detractors and admirers understand him in this way. Consider, among his critics, Voegelin (2000, 151), Wood (1988, 209-210), and, among his defenders, Nicgorski 1984, Schofield 2012.

[25] These include, for example, all of the interlocutors in *De Finibus* as well as *De Natura Deorum*, among other works, and Brutus, to whom both works are dedicated. Moreover, Clarke notes that by Cicero's time, Stoicism "had become widely diffused" in Rome (1956, 18).

achieved. Instead, as this chapter will show, Cicero seems to have thought that true philosophy, Socratic philosophy as he understood it, was not yet present in Rome.[26]

To his first accusers, those who disapprove of philosophy altogether, Cicero states that he has already written a defense of philosophy (his *Hortensius)* with them in mind.[27] Having aroused their "enthusiasm" (*studia)* for philosophy through the *Hortensius*, Cicero may believe that he has dealt with such accusations sufficiently in the earlier work. This response implies, however, that Cicero does not expect *De Finibus* on its own to convince such people that philosophizing is a worthwhile activity. But, that he does not address these opponents of philosophy in the work that contains the foundations of philosophy suggests that he is not, in fact, worried by their attacks. Cicero's opening *De Finibus* with the discussion of its anticipated accusers reveals that he believes philosophy in his time to be in a precarious position, but his rapid dismissal of the critiques by those who disapprove of philosophy altogether indicates that he does not believe this group to present the most serious challenge. Indeed, Cicero is more concerned in *De Finibus* to correct the mistakes of those to whom philosophy and science have some appeal.

Cicero takes the second and third groups of accusers—those who do not disapprove of philosophy completely and those who, having devoted themselves to scientific or literary studies in Greek, are contemptuous of Latin—more seriously. Both of these groups are attracted to philosophy in some way. However, when Cicero turns to

---

[26] Virgil also recognized the subordinate place of science in Rome: "Others…will forge the bronze to breath with suppler lines, draw the block of marble features quick with life, plead their cases better, chart with their rods the stars that climb the sky and foretell the times they rise. But you, Roman, remember, rule withal your power the peoples of the earth—these will be your arts: to put your stamp on the works and ways of peace, to spare the defeated, break the proud in war" (2006, VI.847-853).

[27] Cicero's description of *Hortensius* (the work is now lost) as written primarily with a view to those who blame (*vituperator*) philosophy and as intended to transform that blame into zeal (*studia*) may suggest that *Hortensius* did not contain Cicero's deepest or most serious defense of philosophy. His writing *De Finibus* suggests, at least, that the depiction of philosophy in *Hortensius* is partial or incomplete. St. Augustine describes his reading of *Hortensius* as a young man and its great effect on him in his *Confessions* III.4.7.

reply to the second group, he alters the characterization of their attitude towards philosophy. Whereas he initially describes the second group as one that does not criticize philosophy if it is pursued in a "more easygoing manner," Cicero now presents them as "those who take great pleasure in philosophy, but want it to be practiced only to a moderate extent" (I.2). On one hand, this group is now presented as far more favorable to philosophy. Such people may not be accusers but, in fact, actual or potential allies of philosophers. On the other hand, their hesitation about philosophy not only remains, but is now also sharpened. As initially described, these people appear to have only a casual interest in philosophic study, but the emendation shows a conflict in their own minds. The root of their hesitation is revealed in subsequent lines to be a concern with virtue. The pleasure of philosophy is not enough to recommend it to people who are deeply concerned with living justly and honorably. For such individuals, activities or pleasures must be restrained or moderated so as not to distract from the importance of one's obligations. Cicero indicates, then, that educated, serious men can be persuaded that philosophy has some merit as an honorable activity for leisure or, perhaps, as one of a number of tools for the education for the young. As a way of life, however—as an activity to which one devotes all of one's efforts and attention—philosophy remains suspect to the morally serious man.

Cicero's reply to the doubt that philosophy can be practiced in moderation does not resolve the difficulty, or suggest that there is a harmony between philosophy and moral virtue. Instead Cicero intensifies the difficulty by denying the possibility of moderating genuine philosophic activity. Philosophy, he responds, "is a pursuit which, once entered upon, cannot be limited or held back…I regard as more just those who would altogether turn me away from philosophy, than those who would set bounds on the

infinite, and desire moderation when the greater the study, the greater the reward" (I.2).[28] The overwhelming effect of Cicero's claim is to present a picture of philosophy as something high, the activity which pursues wisdom as the "most beautiful" object (I.2-3).[29] But Cicero also explicitly sets philosophy against virtue, which requires moderation of philosophy: the wholesale rejection of philosophy is more just, he says, than its half-hearted acceptance (he therefore also leaves open the unmentioned possibility that the fully-embraced philosophic life is more just than its wholesale rejection). This perplexing portrayal of philosophic activity as a pursuit that is simultaneously "most beautiful" and of ambiguous connection to moral virtue (a portrayal which is repeated in the explanation of *De Finibus*' central themes) is directed especially at morally serious individuals who might be attracted to philosophy. At the same time, *De Finibus* as a whole shows that Cicero is sympathetic to the fear that philosophy can undermine healthy civic-mindedness. He emphasizes this danger in the case of Epicurean hedonism, but also, perhaps surprisingly, of Stoicism.

The most important challenge to Cicero's writings is presented by the third group of accusers who deny that anything of worth could be written in Latin. The full import of this charge and Cicero's answer to it, however, is best understood in light of Cicero's response to the last set of accusers, those who believe the subject of *De Finibus* to be unworthy of Cicero's "character and position" (I.1). It will be helpful, then, to turn to

---

[28] In his conversation with Cato, Cicero states that the "study of nature offers the inexhaustible pleasure of acquiring knowledge. When our business is done, we have a noble and honorable occupation for our hours of leisure" (IV.12). It may seem, then, that Cicero regards philosophizing as noble hobby to be taken up only when one's duties have been attended to. Nevertheless, he gives us reason to suspect that this is not his most serious view. The claim that the study of nature provides an "inexhaustible pleasure" that nevertheless should be pursued only in one's free time is precisely the charge that Cicero addresses from his second accusers. When speaking to Cato, however, Cicero does not mention the rejoinder he offers in Book I. If the pleasure of philosophizing is truly inexhaustible, one could never be satisfied attending to it only after business.

[29] To describe wisdom, Cicero uses the superlative of *pulcher*, which, like the Greek καλος, can mean both beautiful and noble.

this fourth group here. To these accusers Cicero offers two replies. On one hand, he simply asks for their indulgence, given the great variety of works he has already composed (I.11). On the other hand, he addresses these accusers especially as if they are a group of concerned citizens. He takes seriously the possibility that by spending time writing philosophical investigations he may be neglecting his duty to serve and defend the Roman political order, a duty that is all the greater given his political power. Indeed, Walter Nicgorski attributes to Cicero the view that "within the usual human condition, such philosophizing is contrary to the duties imposed on men" (1984, 566). But Cicero does not take this view of his own life. To the concerned citizens who charge him with shirking his duty, he responds: "I consider myself never to have deserted the post at which the Roman people placed me. Surely, then, I ought to strive as hard as I can to put my energy, enthusiasm, and effort into improving the learning of my fellow-citizens as well" (I.10). Cicero presents his philosophic writing as not only in accord with, but also connected to his political responsibilities. He claims to be an enlightener, the bringer of philosophy for the benefit and glory of Rome.

Although Cicero allows the character of his enlightening project to remain vague at this stage, he begins to clarify it in his response to the third set of accusers. These individuals are "learned in Greek and contemptuous of Latin" and, he playfully claims, "it is more difficult to satisfy" them than anyone else (I.1,4). Cicero responds at first to these Grecophile intellectuals with an exaggerated and comic patriotism, declaring that he would rather read a poor translation of Sophocles in Latin than the Greek original (1.5). The more serious challenge presented to Cicero by these intellectuals' concerns, however, is not the mere preference for Greek over Latin, but the question of why, given the existence and availability of the great political works of thinkers such as Plato or Aristotle, Cicero ought to bother writing at all (1.5-6). To this challenge Cicero offers

two replies. He denies twice that he is merely a translator of Plato or Aristotle (I.6-7). Instead, he "preserve[s] the views of those whom [he] consider[s] sound while contributing [his] own judgment and order of composition," covering "the same subjects…in a different way" from the Greek philosophers (I.6). The difference in the manner of writing, Cicero suggests, is rooted in a difference in circumstance: Cicero faces a political situation and tradition quite different from that which Plato and Aristotle encountered.[30] "The different way" in which Cicero presents his philosophical work may therefore refer to the rhetorical differences that are necessary to accommodate the change in circumstance. Yet Cicero does not claim that he differs from the Greek thinkers merely in the rhetorical surface of his work, but rather that he adds his own "judgments." Cicero thus believes himself to make a significant contribution or addition to the study of human nature initiated by classical Greek philosophy.[31]

On its own, however, this explanation is not quite sufficient, for it does not reveal the characteristic differences between the Greek and Roman audience that leads Cicero to conclude that a reformulation of Greek philosophy for a Roman audience is necessary. Cicero allows this question to remain open for now rather than explicitly resolve it. But in what follows he does indicate the outline of a possible explanation. Cicero goes on to note that unlike the Roman satirist Lucilius, he "will [not] forbid anyone from reading [his] work" (I.7). According to Cicero's description of the satirist's writing in *De Oratore*, Lucilius wished to keep his work from both the least and the most learned

[30] Mansfield draws attention especially to the absence in Rome of a poetic tradition that might act as "both lantern and foil for philosophy" as it did in Greece and argues that Cicero sought to replace poetry in Rome with rhetoric which, "when tamed…could do the same useful service to philosophy as poetry and without the political disadvantages of quaintness and daintiness" (1966, 33). Frost 2010 also argues that Cicero turned to the public education in rhetoric in order to make philosophy appear safe to politics and attract potential philosophers. Neither, however, take up the importance of the increasing public presence of the philosophical schools in Cicero's time.

[31] Cicero, in addition, may have understood part of his task to be the correction of certain rhetorical errors of his philosophic predecessors (Macrobius 1990, I.1.9).

people, "because the one part understood nothing; the other perhaps too much" (*DOR* II.25). Lucilius is also reported by Cicero to have singled out a man named Persius as the sort of learned man whom he rejects as a reader (*DOR* II.25). In *De Finibus*, Cicero proclaims his wish that this same Persius were alive so that he could be among Cicero's readers and adds to Persius Scipio and Rutilius.[32] Unlike Lucilius, then, Cicero does not primarily address the ordinary, "good and not uneducated" men (*DOR* II.25; cf. *DF* I.1). He wishes to reach the most excellent readers (and that he does not share Lucilius' view that these readers "perhaps [know] too much" is implied by his statement on philosophizing at I.2-3).

But, according to Cicero, no such excellent men (of the kind that Lucilius feared) were alive during Lucilius' lifetime (I.7). This is a strange statement, for we know, and certainly Cicero knew, that Scipio and Rutilius were Lucilius' contemporaries.[33] Perhaps he means to imply that Lucilius was excessively or falsely modest, but Cicero also draws attention to the existence in other epochs of an intellectual class above Scipio and Rutilius that Lucilius was scarcely cognizant of. By placing the short section on Lucilius immediately after his indication that he will cover the same subjects as the Greeks but in a different way (I.6), Cicero is perhaps quietly indicating that the difference may depend on a crucial difference between his own inferior readers and those addressed by the Greeks: Cicero is not optimistic that there are many readers among the present or near future generations of Romans that will reach the political or theoretical heights of even Scipio or Rutilius, let alone Plato or Aristotle. Indeed, much about the social and

---

[32] Little seems to be known about this Persius. Scipio, who was responsible for the destruction of Carthage, is the chief interlocutor in Cicero's *De Re Publica*. Rutilius is said to be the person responsible for relating the conversation in that dialogue to Cicero when the two met in Smyrna. Rutilius had been exiled from Rome on corruption charges (*DR* I.13).

[33] Lucilius lived from approximately 160 – 103 B.C., Scipio from 185 – 129 B.C., and Rutilius from 160 – 80 B.C.

political climate which Cicero reflected upon and was active in could have led him to this conclusion. Not only decades of civil wars, but also increasing opportunities for personal aggrandizement in the empire had weakened the austere virtue of and devotion to the old republic.[34] Cicero makes clear his awareness of the depth of the transformation taking place in the Roman regime and his regret at being unable to prevent it. "If I had been followed," he writes, "we would still have some sort of republic, if not the best, whereas now we have none" (*DO* II.35). Cicero suggests, moreover, that the popularity of the philosophical schools did not alleviate, but rather exacerbated the moral and political crisis.[35] By emphasizing the moral deficiencies and corruption of the active life and revealing it to present obstacles to our happiness rather than paths to its attainment, the schools drew people away from politics (cf. *DR* I.4-6). The effect of their popularity therefore also impeded Cicero's project of bringing true philosophy to Rome by turning the gaze of potential students away from politics, the study of which he saw as key to philosophy altogether. Thus, Cicero's recognition that in his own time the potential for political and theoretical excellence was being extinguished, as well as his attempt to understand the cause of this decline and to counteract it to whatever extent possible, seem to be the crucial reasons for discussing and interrogating the opinions of the popular philosophical schools in *De Finibus*.

---

[34] Tacitus, who lived a generation after Cicero, wrote that "the inveterate desire for power, which was long ago inborn in mortals, matured and broke forth with the greatness of the empire. For in moderate circumstances equality was easily preserved. But when, with the world subdued and rival cities and kings cut down, there was room to desire secure wealth, then contentions blazed up…and in the city and in the forum there were attempts at civil wars. Thereafter Caius Marius from the lowest plebian stock and Lucius Sylla, cruelest of the nobles, turned liberty, conquered by arms, into tyranny. After them came Pompey, more disguised but no better, and never afterwards was anything sought except the principate" (*Histories* II.38.1, quoted in Leake, 1987).

[35] As Adler puts it, "the Roman order has been desperately undermined by the ambitious rivalries of the greatest men appealing against each other to the plebs; in this extremity, the 'plebian philosophers' too step in, ambitious to attach the multitude to atheism and pleasure as against the Roman order constituted by religion and virtue" (2003, 50).

That this is the case is further indicated by the dedication of the work to Marcus Junius Brutus. Brutus, according to Cicero, was an avid student of philosophy and was widely known to be well versed in philosophical books and especially Stoic ideas (III. 6). He was a respected republican and, one year after *De Finibus* was written, joined in the assassination of Julius Caesar. Cicero states that he dedicates *De Finibus* to Brutus not in order to instruct him, but in order to associate it with Brutus' good name. Brutus, apart from his own good repute, descended from Lucius Junius Brutus who, with Lucius Collatinus, overthrew Rome's ancient monarchy and founded the republic. But Cicero presents his assessment of Stoicism as a dialogue with Cato, Brutus' uncle and adoptive parent, who was said to have introduced Brutus himself to Stoicism. The dialogue also contains a short conversation about the importance of the education that Cato will give to the young Lucullus (Brutus' cousin) who has also come under his charge (III.8). The conversation with Cato about Stoicism thus takes place in the context of a concern for the education of young men who were expected to bear political power and responsibility. The education that Cato imparts to Lucullus is the education he has already given to Brutus. Thus, while Cicero explicitly disavows any claim to teach Brutus, the conversation with Cato and concern for Lucullus shows that it is precisely men like Brutus and the sort of education they receive that Cicero wishes to address.[36] Indeed, Cicero leaves his reader wondering if he presents Brutus to us as the wise and virtuous defender of the republic, a model to be imitated and hoped for, or if he regards Brutus,

[36] Kries, however, argues that Cicero refers to Lucullus in order to emphasize his absence from the conversation, and to point to an opinion that one "should criticize Stoicism when the young are not present" (2003, 391 with n.31). On this view, the critique of Stoicism is philosophically necessary but ought not to form a part of a civic education. But Kries does not attempt to reconcile this claim with the concern for education that Cicero's reference to Lucullus shows, or with Cicero's decision to include his critique of Stoicism as a whole in a work addressed explicitly to the philosophically and politically inclined alike. Moreover, as will be discussed below, Cicero himself critiques Cato's Stoicism in public in his speech *Pro Murena*.

and in particular his education in Stoicism, as a problem—for we do not know how powerful the memory of the virtue of his ancestors is in Brutus' soul, and whether his Stoicism supports or undermines it.

THE PARADOX OF STOICISM

We might state the difficulty of the education in Stoic virtue in the following way. On one hand, Cicero sees in Stoicism a potential support for the moral and political virtues which, to some extent, had previously been nurtured by the civic education of the regime itself. Stoicism, according to Cicero, is a particularly high-minded and impressive example of popular philosophy. The primary doctrine of the Stoic school—the defense of moral virtue as the only human good and the perfection of human reason as the precondition for possessing that virtue—can cultivate an admirable and stern self-reliance in many of its followers.[37] This allows the Stoic to regard himself with pride in his own excellence. It is, for example, this pure devotion to virtue that gave Cato his reputation as an incorruptible moral authority.[38] But, on the other hand, although the Stoics share with common opinion the admiration of noble deeds and moral steadfastness, Cicero indicates that Stoicism ultimately undermines the attachments to the civic and social order, accelerating the weakening of these bonds and the turning away from politics already set in motion by the corruption of the Roman republic and expansion of the empire. Indeed, the Stoic's claim that moral virtue is the only good

[37] The excellence of character cultivated by Stoicism has been noted in our time as well. Decorated navy pilot and former vice-presidential candidate Admiral James B. Stockdale argues that the radically self-reliant teaching of the Stoic Epictetus could serve not only to strengthen the resolve of the military in times of great conflict, but also to ennoble and reinvigorate the moral and civic life of modern liberal democracies (see Stockdale 1993 and 1995). Tom Wolfe also presents a sympathetic portrayal of Stoicism through the character Conrad Hensley in *A Man In Full*.

[38] Plutarch reports that Cato "devoted himself especially to ethical and political doctrines [of the Stoics]. He was possessed, as it were, with a kind of inspiration for the pursuit of every virtue; but, above all, that form of goodness which consists in rigid justice that will not bend to clemency or favor, was his great delight" (*Cato the Younger* 1919, 4.1; see also Cicero's eulogy of Cato in *De Officiis* I.112).

requires an uncompromising pursuit of virtue that rejects the prudence and compromises necessary in political life.

This way of thinking has practical and dangerous consequences, shown by Cicero most clearly in his speech in defense of Murena, whose election to the consulship sparked the Catilinarian conspiracy.[39] Following Cicero's uncovering of the conspiracy and while Catiline was organizing forces outside of Rome, Murena was prosecuted, in part by Cato himself, for bribery and electoral corruption unrelated to the crimes of Catiline.[40] In his speech, Cicero attacks Cato's adherence to Stoicism's "fixed pattern of reasoning" so uncompromisingly devoted to justice that it "is a little too harsh and hard for truth or nature to endure" (*PM* 3, 60, see also 65). If virtue is the only good as Stoicism teaches, then "all misdeeds are equal," and we must acknowledge that "the casual killing of a rooster is no less a crime than strangling one's father" (*PM* 61).[41] This rigidity, according to Cicero, robs Cato of the good judgment that distinguishes between the crimes of Catiline and the alleged crimes of Murena. Cato's Stoicism blinds him to the fact that his prosecution of Murena serves Catiline's ends, because it "dislodges from his defense of the city and his protection of the citizen body an uncorrupt consul" while Catiline and his followers plan to "destroy the city, slaughter the citizens and obliterate the name of Rome" (*PR* 79-80, see also 82-83). Against Cato, Cicero argues that it is

---

[39] Murena stood in the election against Catiline, who, having been defeated, conspired to gain power through a violent coup. Murena's trial took place in 63 B.C. (Murena was to be consul in 62), eighteen years before the writing of *De Finibus*. For a thoughtful and thorough analysis of the speech as it relates to Cicero's political philosophy, see Stem 2006, to which the account of *Pro Murena* that follows in this chapter is indebted.

[40] For a detailed account of the Catilinarian conspiracy and the events leading to Murena's trial, see Macdonald's prefaces to Cicero's speeches against Catiline and for Murena (1977, 2-20, 169-184) and Stem (2006, 210-211).

[41] Stem rightly notes that Cicero's depiction of Cato's Stoicism is laced with a rhetorically powerful "mocking humor" (2006, 217). This humor, however, seems not only intended, as Stem argues, "to lull the jury laughingly into accepting" Cicero's claims (2006, 217), but to underscore the absurdity of about a teaching about virtue that disregards all external goods and circumstance (*PR* 61-62).

natural and wise not only to differentiate between kinds of viciousness, but also to take into account expediency (*PR* 63; Stem 2006, 222). And while he insists throughout the speech that Murena is innocent of the charges brought against him, Cicero implies that because Rome is not now faced with "a question of an unjust law, or ruinous bribery, or the sort of plot against the republic with which we are familiar" (*PR* I.79)—that is, because the survival of the regime is at stake—the good statesman would maintain Murena in his consulship even if he was guilty, if doing so would preserve the republic.[42]

Cato's Stoicism fails to recognize that "peace, leisure, concord, liberty, and safety" are goods because it does not recognize that they make possible the justice that Cato believes himself to be defending in the trial against Murena (*PR* 78). Because Cato attempts to apply Stoicism's strict rules to political life, he is unable to judge what justice requires even though he sincerely wishes to uphold it. Cicero's speech suggests, then, that not only Stoicism, but also any rigid "pattern of reasoning" must impede our ability to judge well about political things. Cicero's *Pro Murena* indicates that Stoicism is particularly problematic because it mistakes uncompromising strictness or severity for virtue and therefore threatens the preservation and possibility of virtuous action while claiming to defend it.

The Stoic teaching also presents a serious theoretical difficulty. As Cicero's conversation with Cato in *De Finibus* shows, the ostentatious pride the Stoics take in their virtue, which they claim to pursue with complete rationality, hides from their own view that they hope that virtue will both bring them good fortune—in particular, praise—and make them immune to the dependence on fortune's favor. Stoicism's claims to

[42] Here I depart somewhat from Stem, who argues that "the strategy by which Cicero sought to neutralize the moral authority of the prosecution, especially that of Cato," is "what saves the *Pro Murena* from being merely the exculpation of the guilty through an appeal to expediency" (2006, 213). It seems instead that Cicero's critique of Cato's moral authority implies and defends the necessity—and therefore the goodness—of such an exculpation in certain cases.

perfect human reason are thus belied by a lack of self-awareness that is inculcated by the school's central teaching. Moreover, the Stoic claim that virtue is the only good neglects the multiplicity of less lofty objects that we consider also to be goods that are necessary for our happiness. In spite of its claim to direct us to the life according to nature (*DF* III.12, IV.14), the Stoic teaching abstracts from what Cicero argues are the variety of natural human goods and concerns. The spread of Stoicism among educated citizens and its tendency to detach its followers from politics therefore also obscures the full complexity of natural human concerns from view and, as a result, presents significant obstacles to the scientific understanding of human nature for them and those they educate. Because the Stoic misunderstands his own soul, he is unable to think well not only about his relation to the political order, but also about how human beings stand in relation to the whole of nature.

Cicero states twice that although Stoicism regards itself as superior to and distinguishable from common moral opinions, Stoicism's moral teaching ultimately shares the ordinary moral outlook of most decent people (IV.21-22, 56-57). Thus, while Cicero's evaluation of Stoicism and the influence it has or could have on civic education is itself of value, his analysis and critique also have a second, deeper purpose. Through them he offers his own account of the psychology of moral and political life, the many desires, motivations, concerns, and obligations that together form the foundation of the way we think about our lives and that manifest themselves especially in political discourse. Cicero's examination of this popular moral and philosophical teaching, then, begins to lay the foundation for a political science that better understands not only political activity, but also human nature.

CICERO'S PARALLEL CRITIQUE OF EPICUREANISM

In the first two books of *De Finibus* Cicero shows that the Epicureans share with the Stoics the failure to examine the roots of their own view of happiness. The Stoics and the Epicureans each believe themselves to understand nature in a way that is directly opposed to the other, but Cicero suggests that Epicureanism presents similar obstacles to its students for the understanding of nature as Stoicism. Although the Stoics teach that virtue is the sole good and the Epicureans teach the same of pleasure, Cicero indicates that both popular philosophic movements promise perfect invulnerability against chance and an attractive, but ultimately unsustainable, happiness above the fray of ordinary political and moral life in spite of the apparent opposition of their moral teachings. Cicero's Epicurean interlocutor grants that like Stoicism, Epicureanism teaches that "no fool is happy and no wise man is not happy;" he claims, however, that "we support this in a better and truer way than do the Stoics" (II.61). It will be helpful, therefore, to turn to a brief outline of Cicero's understanding of the alternative presented by Epicureanism and the effect it has on its students.

The bulk of Cicero's conversation about Epicureanism takes place with Lucius Torquatus, a young Roman from a famous family who aspires to political office (I.23-24; II.72-74). Cicero relates that the young Torquatus is also "learned in every philosophical system," but associates himself with Epicurus as his "master" (I.13-14). Cicero's depiction of Torquatus' defense of Epicureanism and Cicero's own response to that defense ultimately shows that Torquatus is deeply attracted to the Epicurean promise of pleasure without pain and the security that wisdom gives against the vicissitudes of chance. Cicero also reveals, however, that Torquatus maintains deep moral attachments that the understanding of pleasure as the good can neither supplant nor adequately explain.

Torquatus attempts to show that the only reason human beings will undergo pain in the present is to achieve greater pleasure or suffer less pain in the future, but he cannot help himself from appealing to blame and duty. He claims that

> wholly deserving of our odium [are] those who are so seduced and corrupted by the blandishments of immediate pleasure that they fail to foresee…harm to come. Equally blameworthy are those who abandon their duties through mental weakness—that is, through the avoidance of effort and pain…In certain circumstances it will often happen that either the call of duty or some sort of crisis dictates that pleasures are to be repudiated and inconveniences accepted. (I.33)

Torquatus had declared earlier that not only human beings, but all animals, seek pleasure and avoid pain by nature (I.30). Upon concluding his explanation, he takes himself to have proved that the wise man knows that "pains are selected when this avoids worse pains" (I.33). Torquatus' argument may, indeed, support the view that harm comes to the one who lacks some kind of self-control with regard to the pursuit of pleasure. This argument cannot, however, account for the anger he displays towards those who lack that self-control. Torquatus is full of hatred for those who are unable to control their pursuit of pleasure, and he blames those who do neglect their duty by seeking to avoid pain, which he had earlier described as the greatest evil. In the direst circumstances, Torquatus says, one must think not of pleasure—that is, of one's own good—or even postponing present pleasures for greater ones in the future, but of duty. Real sacrifices must, on Torquatus' view, be made if one is to escape blame. If pleasure is the good, however, Torquatus' view is incoherent. If human beings naturally pursue pleasure and avoid pain above all, one cannot be blamed for pursuing pleasure (or the absence of pain) rather than one's duty in a crisis. Cicero thus shows that in spite of Torquatus' attempted adherence to Epicurus' teachings about pleasure and pain, Torquatus is unable to detach himself from the moral concern for duty and admiration of sacrifice. Through his depiction of Torquatus, Cicero also shows what may be untenable about Epicureanism as a popular

philosophy. Torquatus, perhaps without realizing it, portrays Epicureanism as perfectly in harmony with civic concerns although its teaching is necessarily in conflict with them. Indeed, his inability to complete his detachment from civic morality is rooted in his devotion to and participation in political life (II.74).[43]

Torquatus maintains these concerns even as he is deeply attracted to Epicurus' claims for the superiority of a wholly self-sufficient life detached from politics. He delights especially in Epicurus' teaching that "wisdom alone teaches us to bear the slings of fortune lightly" and that "if the wise suffer any pain, the pain will never have sufficient force to prevent them having more pleasure than distress" (I.46, 62). Wisdom, according to Torquatus' account of Epicurus' teaching, is that alone which "drives misery from our hearts" and "stops us trembling in fear" and allows us to "live in peace, the flame of all our desires extinguished" (I.43). The wise man, as Torquatus explains, understands that many desires are insatiable and are therefore the root of all discord. He therefore comes to recognize Epicurus' helpful distinction between those desires which are natural and necessary, and therefore easily fulfilled, and those which are neither natural nor necessary, and thus not only endlessly multipliable, but also insatiable (I.45). The wise and happy life would thus include the continual seeking and fulfilling of the modest and simple desires that find their support in our nature and the pleasure that arises from their fulfillment.

Cicero thus allows us to see the sensible and, perhaps, politically salutary core at the center of the Epicurean teaching. Wisdom, according to this view, consists especially in coming to a moderate understanding of our natural desires and in pruning back the unnecessary or unnatural ones. Through this process we free ourselves of the attachment

[43] Cf. Lucretius (1977, II.7-14).

to illusory pleasures (of luxury or wealth, for example) and can direct our souls to the more solid satisfactions that can be found in friendship, or family and civic life. Such a teaching could, to some extent, support healthy civic life by schooling citizens in true moderation (which was rapidly disappearing in the Roman empire). It might also clarify the degree to which some of our natural desires are dependent upon other people for their fulfillment. Indeed, on this basis, Cicero would have had little to complain about in the popularity of Epicureanism. But Cicero draws our attention to the problematic character of the combination of this element of Epicureanism with the claim that wisdom gives the wise man a happiness invulnerable to pain or external circumstances. For together these teachings undo the potential political advantages of Epicurean moderation.

Torquatus, indeed, turns out to be attracted to the most extreme form of self-sufficiency which is promised by the Epicureanism. He wishes not only to dispose of illusory pleasures or unnecessary desires, but, above all, to attain the wisdom that extinguishes the flame of *all* desires. He is thus drawn to the radical, rather than moderate, view of the life of the wise man. Torquatus had, in an earlier part of his speech, explained that Epicurus held "the lack of all pain…to be not only true pleasure, but the highest pleasure" (I.38). Torquatus shows that he ultimately understands this teaching to promise a condition lacking desire altogether. Indeed, he is far more enthusiastic about the possibility of extinguishing desire forever than in maintaining and fulfilling those desires that are naturally moderate. Whereas death "hangs over" most people "like Tantalus' rock" (I.60), Epicureanism ultimately promises to release its students not only from the fear of death, but from the pain of death, and from all the desires and needs that plague the human condition. Both Epicureanism and Stoicism, in Cicero's presentations, attribute to wisdom the recognition that death—not merely the fear of death—is no barrier to happiness. According to Torquatus, Epicurus teaches that

"no more pleasure could be derived from a life of infinite span than from the life which we know to be finite" (I.63; cf. III.61, *DND* II.153). Wisdom thus mollifies desires which, Torquatus says, are "shut up inside the heart" and "quarrel and fight amongst themselves" (I.44). To the extent that he senses that his desires for a pleasure that brings perfect tranquility and security from fortune is incompatible with the concern for civic virtue or duty, Torquatus' own desires are in conflict with each other (II.80). As a result, his Epicureanism exacerbates the psychological condition it is meant to alleviate.

Cicero's response to Torquatus' speech takes a tone of indignant moralism that veils, to some extent, the substance of Cicero's view (II.12, 47,74; cf. II.27 with I.3). Indeed, Cicero goes so far at times as to attack Epicureanism not in his own name, but in the name of virtue itself (II.63-66). The effect of this tone is to emphasize especially the threat that the Epicurean teaching poses to ordinary civic virtue. Indeed, this rhetorical strategy adds emotional weight to some of Cicero's critiques of Epicurean philosophy that seem on their own terms deficient or, at the very least, incomplete.[44] But Cicero's moralism also implies that the attacks he makes in *De Finibus* are directed especially at Epicureanism in its capacity as a popular philosophy, its wide appeal, and the effect it has upon the ordinary citizens it attracts.

Thus, Cicero accuses the Epicureans of the consistent attempt to "drag pleasure into the company of the virtues, like a common harlot in a gathering of well-bred ladies" (II.12). On the surface, Cicero simply attacks Torquatus and the Epicureans for debasing virtue by associating it with something as low as pleasure. Yet Cicero here also calls

[44] Brochard 2009 points convincingly to a number of the difficulties in Cicero's portrayal of Epicurean philosophy. Adler argues, however, that since it is "Cicero's view that the practical danger of vulgar Epicureanism is such as to require resistance," he addresses "always…what the Roman Epicureans are known by everyone to say and think" rather than what they wrote (2003, 50-51). See on this subject her helpful discussion of the relationship of vulgar or popular Epicureanism in Rome with its more serious philosophical teaching (2003, 43-51).

attention to the very fact that Torquatus wishes not to disassociate himself from virtue, but to make virtue and pleasure coincide. The political danger, however, is that although Torquatus is able to maintain (even if only in a somewhat confused manner) both his attachment to virtue and his attraction to the promise of perfect tranquility which Epicureanism offers, there is little in Epicureanism that can help cultivate the moral concerns which politics requires. But, just as importantly for Cicero, Epicureanism presents an obstacle to philosophy. It denies the importance of understanding the concerns and hopes associated with virtue on their own terms and as they reveal themselves in our lives (cf. I.34-35 with I.23, II.60-61). For this reason, it cannot form a true account of or explain our desires and opinions about the good.

THE LIFE ACCORDING TO NATURE

That Cicero intends his reader to keep in mind both the political and theoretical problems of Epicureanism as he turns to discuss Stoicism in Books III-IV is clear at the outset of Book III. Cicero introduces his conversation with the Stoic interlocutor Cato with the recollection that he chanced upon Cato in a library "surrounded by Stoic works." Cicero reminds his reader that Cato has "a passion for reading" and would often "appear to be gorging himself on books" (III.7).[45] The first portrait that Cicero presents of Cato is thus one of him indulging an appetite, however honorable it may be. Cato's indulgence reintroduces the question of the good of pleasure (which is the major theme of Books I-II), for it raises the question both of the status and the end of such an appetite. In the first two books of *De Finibus*, Cicero had claimed that whereas those who understand pleasure to be the good can never be secure in their happiness, "one who regards good as entirely a matter of virtue is entitled to say that one has a completely happy life when

[45] Cato's "passion" for reading is called by Cicero an *aviditas*, which suggests a strong longing or desire.

completely virtuous" (II.88). Moreover, "a successful eulogy of virtue must shut out pleasure" (II.118). Because the Stoic understanding of happiness revolves entirely around the claim that the moral (*honestum*) is the only good, Cicero's conversation with Cato can be understood in part as a test of Cicero's assertion in Book II. Indeed, as Cato insists almost from the beginning of the conversation, "unless it is maintained that what is moral is the only good, there is no way of establishing that it is virtue that brings about the happy life…If it were possible for wise person to be unhappy, I fear I would set little value on glorious and wonderful virtue" (III.11). Cato thus indicates that the central promise of Stoic philosophy is an unchanging happiness for the wise or virtuous man.[46] Virtue, says Cato, would lose its place as an object of admiration as well as its value to human beings if it were not both the necessary and sufficient condition for complete happiness. By the peculiar way in which he makes this statement, however, Cato also reveals that his devotion to virtue precedes and colors his understanding of what reason prescribes or the good according to nature (III.11; cf. III.17, 29). For although the claim that moral worth is sufficient for happiness would seem to be a conclusion that must derive from something like an interpretation of human nature, this claim is the premise from which Cato begins his argument.

After noting the disastrous consequences that would follow if virtue were not alone considered the good, Cato turns to what seems to be the necessary account of human nature to support his initial claim: he begins with a presentation of the nature of animals and human beings from birth that appears to be much like the account of our natural inclinations that Cicero himself gives in Book II. According to Cato, all animals desire preservation from birth. This desire is rooted in a self-love that leads us to seek the

[46] The centrality of Cato's claim for Stoicism as a whole is attested to by other Roman Stoics whose writings survive. Consider, for example, Seneca's "On Providence," and Letter 124 (1958, 27-46, 256-261) and Epictetus' *Discourses* I.12 "On Contentment" (1940, 247-249).

good and avoid the bad. These goods are called by Cato "the primary objects of desire" (III.17). There is, however, a crucial difference between Cicero's account and Cato's concerning the status of pleasure. Whereas Cicero explicitly leaves open the possibility that pleasure is a primary natural good (II.33-34), Cato wishes to reject even the possibility.[47] Here Cato's argument echoes his initial defense of the self-sufficiency of virtue. He states that "if nature were thought to have included pleasure amongst the primary objects of desire, then a host of base consequences would follow" (III.17). If pleasure is accepted as a natural good, it must be included among the standards we use to judge the appropriateness of whatever choices we are faced with. But virtue, as Cato seems to realize at this moment in his speech, often requires the denial of pleasure. Indeed, self-restraint or self-sacrifice is often at the heart of the deeds we admire as virtuous. Perhaps Cato fears that the pull of pleasure is so strong that if it were admitted to be good it would not fail to outweigh in our minds the desire to act nobly. But Cicero, having called on "virtue herself" to pronounce who she believes to be happiest in Book II, states that she would "not hesitate to rank Marcus Regulus," who allowed himself to be tortured in captivity by the Carthaginians in order to keep a promise, above anyone who counts pleasure as the good (II.65; *DO* I.39, III.99-113).[48] The indication that not he, but virtue, declares Regulus happiest of all, requires us to wonder whether Cicero agrees with virtue's assessment. Indeed, Cicero shows his disagreement by declaring that he "dare[s] not say" whom he would name (II.65). If his estimation of Regulus were the same as virtue's, he would have no reason to hide it. But unlike Cicero, Cato rejects pleasure as a natural good because such noble but self-sacrificial actions would no longer

[47] Nussbaum 1987 offers a thorough account of the Stoic rejection of pleasure and the passions good for human beings, but because she does not attend to the crucial disagreements brought out by their dialogue in *De Finibus* III-IV, she takes Cicero to accept the Stoic teaching (1987, 133-134).

[48] Regulus' torture and death have been the subject of at least two paintings: Salvatore Rosa's "Death of Regulus" (1650-52) and Joseph Mallord William Turner's "Regulus" (1828).

be commanded by nature if it were. He is thus not quite sincere in his desire to discover the natural principles and to live by them.[49] He wishes, Cicero shows, to be moral above all and, only secondarily, to live the life that is most according to nature. Or, to put it another way, Cato wishes to live the life according to nature only if or insofar as that life is the perfectly moral one. It is only on these grounds that wisdom, the perfection of human reason and judgment, can be understood as the life of perfect virtue (III.11). Here again, however, Cato presumes that the moral life is the life according to nature, but this is the proposition that was meant to be proved. It must remain for now a question whether Cicero's openness to the possibility that pleasure is a primary natural good suggests that he, unlike his Stoic interlocutor, is genuinely open to the possibility that the morally virtuous life does not constitute the peak or perfection of our nature.

The natural self-love and desire for preservation in all human beings develops, according to Cato, into a duty "to preserve oneself in one's natural constitution" (III.20; cf. III.16). The transition away from the discussion of our primary desires to the discussion of duty occurs when Cato calls attention to the fact that he will begin to address "grander themes" than the "basic elements of nature" for which a "rather threadbare" style was appropriate (III.19). These more majestic subjects, in Cato's view, warrant a similarly "more splendid speech" (III.19). It is worth noting that Cicero, who never hides his high opinion of skill and elegance of rhetoric, registers an explicit objection to Cato's claim. Cicero states that he prefers "clarity" to splendor with respect to the most important subjects and that the desire to treat these subjects with ornate or adorned speech is "childish" (III.19). But as Cato approaches the central claims of his

[49] Nussbaum reports that Epictetus "says that if he discovered that the belief that the external is nothing to us was false, and the arguments that support it deceptions, he would still cling to those deceptions" (1987, 164; Epictetus' *Discourses*, 1.4.27, cited in Nussbaum 1987). Cicero suggests that Epicurean natural science, by positing the swerve of atoms in order to maintain freedom of will, falls into a similar sort of error (I.17-21).

speech, he gets more and more carried away by his admiration of the moral perfection he describes (III.74-76). Cicero thus shows that Cato's way of speaking about and approaching the analysis of human nature is not conducive to clarity about the truth of the matter.

Cicero's critique of Cato's rhetoric raises an additional question about the character of Cicero and Cato's conversation as a whole. Cicero began Book II with a brief comparison of Socratic dialogue and the speeches of the Greek sophists (II.1-3). According to Cicero, "it was the method of the sophists" and of the philosophers of his own day "to expound a formal lecture" on a given topic (II.1). But "Gorgias and the other sophists were mocked by Socrates," whose "own technique was to investigate his interlocutors by questioning them" (II.2). Cicero approves of Socrates' technique because it is

> more manageable if one stops after each individual point and ascertains what each of the listeners is happy to concede, and what they would reject. One can then draw the inferences one wishes from the points conceded and reach one's conclusion. When on the other hand, the speech races on like a torrent, carrying with it all manner of material, there is nothing the listener can grasp at or get a hold of. There is no way to check the raging flood. (II.3)

Cicero gives the impression that the present conversation will take the Socratic dialogue as its guide, but in fact both the conversation with Torquatus and the conversation with Cato consist in large part of two long speeches, one presented by each of the main interlocutors. The conversations in Books I-II and III-IV thus more closely resemble the Sophists' speeches than the Socratic dialogue that Cicero prefers.[50] Neither Cato,

[50] Nicgorski attributes the difference between the Ciceronian and the Socratic dialogue to Cicero's following the style of Aristotle's lost dialogues, which contain long speeches and in which the author himself speaks (1978, 70). Cicero's letters describe his intention to use the structure of Aristotle's dialogues in *De Republica*. *De Finibus* seems to follow the same pattern (though Cicero never mentions that he uses the Aristotelian dialogues as a model in this work). Nevertheless, this does not explain Cicero's reason for constructing *De Finibus* in this way, for it does not account for why Cicero calls our attention to the difference between the conversations in this work and the Socratic refutations, on one hand,

Torquatus, nor even the followers of Plato—the Academics—of Cicero's day employ the method of philosophical investigation that allows for the greatest clarity and understanding (cf. III.14; II.17). Nor does Cicero himself attempt, since he responds to the long speeches of Torquatus and Cato with long speeches of his own, to help his interlocutors out of their confusions by insisting on maintaining a true dialogue in their conversations. Indeed, the structure of these conversations can be traced to Cicero's primary purpose for presenting them in *De Finibus*. Whereas Socrates' refutations were the best way for him to test and confirm conclusions for himself or to educate his interlocutors, Cicero shows himself engaged in a somewhat different activity. He wishes to put on display for his readers the opinions and confusions of his interlocutors and especially the way in which grand teachings about the good have influenced their moral and political opinions. The dogmatic teachings of the schools perhaps created for the interlocutors themselves an obstacle to the expression and understanding of their own opinions that Socrates did not have to navigate. Letting the interlocutors speak for a long time with little interruption allows this to come through precisely because Cicero does not attempt in the most forceful way to educate or correct them.[51] Yet, by alerting the reader to the philosophic deficiency of these conversations, Cicero puts us in a position to evaluate them in the spirit of the Socratic dialogue. Cicero thus follows Platonic philosophy by asking his reader to act as "the most impartial critic and judge" as he presents his deepest teaching of the work through the invitation to examine both his own claims and the opinions of his interlocutors about morality and the good (III.6).

---

and the similarity between the long speeches here and those of the sophists on the other. Gorman argues that the structure of *De Finibus* indicates "Cicero's own concerns about the limitations of the Socratic [m]ethod" (2005, 62), but takes Cato's objections to Socratic exchanges as evidence of Cicero's own view (2005, 131-134).

[51] Indeed, neither Torquatus nor Cato is ultimately moved by Cicero's responses to their speeches (II.119, IV.80).

VIRTUE AS THE SOLE GOOD

In order to explain how one ought to understand virtue or wisdom as the life according to nature (that is, as the good), Cato presents two analogies. In the first, we are asked to consider an archer whose task is to shoot an arrow straight at a target. Through this analogy, Cato hopes to clarify the relationship of virtue to the "primary objects" we naturally desire. According to Cato, "it is to shoot straight that one must do all one can; nonetheless, it is to do all one can to accomplish the task that is really the ultimate aim…[t]o actually hit the target is, as we say, to be selected but not sought" (III.22). Cato cautions us against believing that, since moral action "is not included among our original natural attachments," that there are two separate goods (III.22): that which is aimed at by our initial natural inclinations (actually hitting the target) and that which is aimed at by moral action (to shoot straight). He wishes to demonstrate that, to the archer, shooting straight is the only true goal.

Cato's depiction of the archer reveals a potentially wise and politically healthy aspiration to reduce the extent to which our happiness depends on the results of our actions, while still maintaining in some way the significance of their success. Stoicism, according to Cato, modifies our conception of our goals so that their attainment is always in our power. We can therefore think of the archer's efforts to shoot straight and to hit the target in terms of ultimate and proximate goals. Cato's speech suggests two alternatives for conceiving of the archer in this way. We might take the archer's ultimate goal be to hit the target (to succeed in his task). But by focusing all of his attention on his proximate goal, that is, on what he can control in order to shoot straight, the archer gives himself the best chance of attaining in his ultimate goal and, therefore, of happiness. If Stoicism were to help us think in this way, never to discard the importance of attaining the ends we pursue, but to hold on to their importance as lightly as possible, it would

allow us to be as happy as possible in our own activity without undue dependence upon the whims of fortune.

Stoicism insists, however, that we must think of the archer's efforts to shoot straight as his only goal. Rather than attempt to moderate or loosen our dependence upon things external to our control, Cato wishes to dissolve it entirely. Indeed, he has already expressed the opinion that the goodness of virtue depends upon its being the sole condition of happiness for the wise man (III.11). The wise man must therefore be concerned only with the excellence of his own activity. Moreover, his wisdom cannot be judged by the extent to which it allows him to complete the task he sets out to perform, since that completion depends at least to some extent on favorable circumstances outside his control. While this way of thinking would appear to encourage an admirable and healthy self-reliance, Cicero shows in what follows that, in fact, it prevents the Stoics from being completely honest with themselves about how much things external to their own activity—the actual attainment of objects of desire or success in their tasks—matter.

Thus, when Cato adds that the archer's actually hitting his target is, "as we say, to be selected but not sought," he introduces a distinction that seems counter to the explicit intention of the analogy. Although Cato does not yet explain the difference between selecting (*seligendum*) something and seeking (*expetendum*) it, the distinction anticipates the emphasis he will soon place on the Stoic claim that the difference between the moral—the *only* good—and things that are "preferred" but neither necessary nor sufficient for happiness is one of kind rather than degree (III.34, 52).[52] According to Cato, we should accept certain objects of natural desire, such as health, nourishment, or

[52] When speaking later of these kinds of objects, Cato shifts away from speaking in terms of selecting (*seligo*) to speaking of things that are preferred (*producta*). Cato means largely the same thing in both cases, with the possible difference that preferring one object rather than another implies even less of an active desire to attain that object than selecting it does.

leisure, in our lives, but our pursuit of virtue and hence our happiness neither relies upon nor is benefited by these things. Stoicism thus attempts to maintain that virtue is connected to ("aims at") our "natural attachments," but is in no way dependent upon them. But rather than demonstrate this claim, Cato's analogy begins to show the difficulty of rejecting the inclusion of these natural attachments in our conception of the good. The analogy of the archer thus leaves the reader unsatisfied about the relation of wisdom and virtue to nature. In this way, Cato also leaves one in doubt that the wise man's virtue, as Stoicism understands it, can rightly be conceived of as sufficient for our happiness.

Cicero's Cato anticipates, or perhaps himself feels, this dissatisfaction, because he proceeds almost immediately to a second analogy that addresses directly the questions raised by the first. Wisdom must not, Cato asserts, be understood as analogous to the arts of navigation or medicine, but rather to acting and dancing.[53] According to Cato, "just as actors and dancers are not assigned arbitrary roles or steps but certain fixed ones, so too life is to be led in a certain fixed way" (III.24). Whereas navigation and medicine require one to act based on one's own judgments and expertise in the art, actors and dancers are given their roles by a director. Their acting well depends far less on expertise than on conforming as closely as possible to the directions they have been given. Cato's understanding of wise action that is in harmony with nature thus consists in conforming to nature's commands rather than gaining knowledge through which prudent action is possible (this latter view is described by Scipio at *De Republica*, II.45). Moreover, as Cato explains the meaning of his analogy, he shifts between speaking of "wisdom," "right action," and "virtue" in such a way as to blur the possible differences between

[53] It is possible that Cicero's Cato picks out navigation and medicine because of their common use in Socratic dialogues. In doing so, Cicero invites his reader to consider the difference between the Socratic and the Stoic view. See, for example, Plato's *Republic*, 332a-332e and 342a-e.

them (III.24). But wisdom, says Cato, is further distinguished from *all* other arts because it is "directed at itself in its entirety" (III.24). Cato thus attempts to emphasize the self-sufficiency of wisdom, but this attempt is ultimately belied by the context of the present analogy. On one hand, the arts of acting and dancing are more ends in themselves than navigation or medicine. Whereas the excellence of a pilot or a doctor depends on his ability to achieve a certain outcome, the excellence of a dancer consists in dancing well or, in other words, in his own activity. But, on the other hand, an actor or dancer normally depends upon a director for the content of his role. According to Cato, through wisdom human beings participate most fully in a great and beautiful natural order (cf. III.21). Yet, on the basis of this view, wisdom would more justly be ascribed to the director for assigning to each performer his fitting role than to the individual for following it. Indeed, the significance of our own intelligence drops largely out of the picture and is replaced by the intelligence of nature. To the extent that we can be said to have wisdom it consists, according to Cato, in the trust that a wise and benevolent mind has a grand design for the whole of nature in which we have a fixed part and, therefore, in playing our part within that design to the best of our ability. In this way, Stoicism removes from the conception of wisdom any element of utility or instrumentality. The Stoic is therefore able to separate the attainment of wisdom from contingencies that may be outside our control and to admire wisdom as something to pursue for its own sake. This can be achieved, however, only because the work of determining what ends we should seek and of answering questions about our place within the whole of nature is already completed for us by nature acting as a wise and benevolent director.

The questions raised by Cato's depiction of the actor and the dancer provoke us to wonder whether we can conceive of wisdom in such a way that approaches Cato's claim that wisdom, unlike the other arts, is "directed at itself" but does not restrict it to the

performance of a fixed role. Indeed, the discussion of the wise man as a dancer calls to mind Socrates recounting his dancing alone in Xenophon's *Symposium*.[54] On one hand, Socrates' dancing is self-sufficient: he neither performs for others nor requires (or even desires) a partner.[55] In this way Xenophon's Socrates seems to possess the kind of wisdom that Cato describes. But, on the other hand, Socrates does not dance for its own sake or in order to engage in a beautiful or noble activity (Pangle 2010, 142). Instead, he dances in order "to exercise for better health," to gain "more pleasure," and "to create a complete equilibrium" in "every part of [his] body" (Xenophon 1996, II.17). Thus, unlike navigation and medicine, Socrates' activity is not meant primarily to serve others, but, like the pilot and the doctor, Socrates engages in his activity in pursuit of particular benefits. The doctor serves others, while Socrates serves himself. And if Xenophon intends us to see Socrates' physical activity as indicative of his philosophic activity,[56] we are then presented with a picture of the pursuit of wisdom as the attempt to achieve "a complete equilibrium" not simply in one's physical being, but even or especially in one's soul. Against Cato's emphasis on and admiration of human wisdom that is perfected by participation in a grand and beautiful design, Socrates offers a conception of wisdom that requires an understanding of the deficiencies and limits of human nature together with its excellences. Because this Socratic conception has fitness as its end or goal, it does not satisfy Cato's desire that wisdom be pursued for its own sake wholly apart from any benefit to us.[57] Nevertheless, Xenophon's depiction of Socrates shows him more truly

---

[54] Cicero was an avid and serious reader of Xenophon's works. Not only do his own works contain many references to Xenophon's corpus, including the *Symposium* (see, for example, *DF* II.92, *DD* I.25, 54; *TD* II.62, V.99; *DOR* IX. 32, IXX.62), but he also translated the *Oeconomicus* into Latin.

[55] Cf. Xenophon 1996, II.17-19, with II.1 and Socrates' silence in response to Callias' offer of partnership in dancing at II.20.

[56] Pangle 2010 offers good reason to read this scene in this way.

[57] Socrates, moreover, does not share Cato's view that wisdom eschews pleasure as a good.

engaged in an independent activity that pursues the perfection of one's nature than Cato's dancer who plays a fixed role according to nature's plan.

Xenophon reminds us, however, that Socrates' activity is so strange that it gives one of his interlocutors reason to fear that he has lost his mind (1996, II.19). This strangeness concerns especially Socrates' dancing alone, whereas most dancers perform as part of a display for an audience. Although Cato is silent about this aspect of performance in his discussion of actors and dancers, he soon takes up the question of the praise that is owed to virtue in what follows. Cicero thus invites us to consider whether the honor and praise for a beautiful display is a crucial element that lurks under the surface of Cato's attraction to thinking of wisdom as a performance. Indeed, while the dancer derives satisfaction from his own skilful performance, it is also the case that, in most instances, the performer's opinion of his own ability comes from the recognition and praise of a splendid performance by his audience. An actor or dancer does not serve his audience in the way that a pilot serves his passengers or a doctor his patients, but an audience's praise seems crucial to the happiness of the performer. It follows, then, that the importance of the audience is in direct tension with Cato's claim that wisdom is "directed at itself." The difficulty in maintaining the self-sufficiency of wisdom or virtue that is posed by the desire for praise is, in this way, brought to the foreground by Cato's insistence on discussing wisdom in terms of arts that emphasize the artist's dependence upon external approval in explicit contrast with the pilot or the doctor, for whose successful activity praise or good reputation have little importance.

Cicero thus prepares us for an important shift that occurs in Cato's way of thinking immediately following the analogy of the performers. In the opening stages of the conversation, Cicero had proposed that the doctrine that the moral is the only good prevents the Stoics from being able to differentiate among all other things (III.14).

Though he initially rejects Cicero's depiction of the Stoic view, Cato follows his two analogies by taking up explicitly the position he first rejected (III.12-14). Wisdom and virtue depend, Cato says, upon the recognition that "all things are indifferent and indistinguishable from one another except for virtue and vice" (III.25). This contradiction reveals in Cato a struggle with the tension at the heart of the Stoic doctrine. To a certain extent, Cato recognizes that differentiation and distinction among the various objects, especially those we call goods, is necessary in order to allow for their ranking and evaluation. Without such differentiations, there would be no grounds upon which to prefer certain objects of desire to others. But if such differentiation results in finally attributing to some of these objects the character of goods, then they force one to question the status of virtue as the sole good. If Cato were to concede that other objects of desire are goods, objects that one cannot be sure of attaining, he would also have to concede that wise man's happiness is not wholly within his own control. Cato recognizes, moreover, that the beauty of virtue begins to diminish if it cannot claim to be sufficient for human happiness (III.11). The Stoic solution to this difficulty is to call certain middle or intermediate things "valuable" or "preferable," such that one would choose to have them if possible, but to deny that these have any effect on our virtue and thus, on our happiness (III.20, 43-44, 50; cf. III.22).

Cicero shows that this solution ultimately leads Cato and the Stoics to mislead themselves about their own souls, and, in so doing, to misunderstand human nature. Those who are wise, according to Cato, live "happy, perfect, and blessed lives, with no impediment or obstacle, lacking nothing" (III.26). At the same time, however, Cato argues that the happy and moral life is not only that which is praiseworthy, but one that actually "wins praise" (III.27-28). Underneath Cato's portrait of the happy life as perfect and sufficient unto itself is revealed a deeper desire for honor and praise (rather than

simple praiseworthiness), and, therefore, a dependence upon others. Happiness, to Cato, requires that one's life be "marked out" or recognized on account of its moral excellence (III.27-28). In spite of this desire for honor and recognition, Cato insists that he agrees with those of his predecessors who teach that "good reputation…aside from any instrumental benefit it may have…[is] not worth lifting a finger for" (III.57). Thus, Cato claims that happiness both requires and is indifferent to praise. If, as Cato suggests, wisdom consists in, or at least includes, the complete knowledge of human nature (a suggestion with which, we may suspect, Cicero would agree), then Cato's confusion about the extent to which human happiness is dependent upon others is a severe impediment to his attaining that wisdom. His lack of clarity about the desire for praise prevents him from acquiring that self-knowledge which is a crucial step on the path to happiness, if not also to wisdom.

Cato insists that "goodness itself, which is found in one's being in harmony with nature [does] not admit of cumulative enlargement" (III.45). Because there is only one good, there can be nothing truly good to add to virtue that could enhance its goodness. Cato adds, as a primary implication of his view, that "one who has made some progress towards the acquisition of virtue is just as unhappy as the one who has made no progress at all" (III.48). For Cato, either virtue is complete, or it is completely lacking. He recognizes that this view "seems strange" (III.48). Indeed, it appears at first not to accord at all with how virtue is commonly understood, for it would require us to believe that, with respect to true human excellence, we cannot distinguish between Brutus (or Cato himself) and Julius Caesar or George Washington and Ted Kaczynski (III.48). Cicero responds that it requires also that one consider Plato, "that great man," though perhaps not wise according to the Stoic understanding, to have "lived no happier a life than the most wicked of us" (IV.21). Cato claims that this implication is simply the logical

consequence of his position, but it is odd that he would insist on a position that denies the virtue of obviously virtuous individuals. Cato, however, seems especially moved to this position by the hope held out by the promise that the wise man is always happy. The attainment of virtue may be as rare as it is difficult, but, according to the Stoic teaching, the man of perfect virtue—the man "we are trying to produce"—lives in a permanent state of happiness and, above all, is invulnerable to and has a lofty scorn for chance, pain, or anything that might "move a human being" (III.29; III.25).

Cicero indicates, however, that these confusions are not limited to the Stoic teaching. It is when he responds to Cato's apparently radical understanding of virtue that Cicero notes that the Stoics hold "the same views as everyone" and that they merely invent "new terms for concepts whose meaning is unchanged" (IV.21). Although Stoicism believes itself to be "a revised and amended version of the old philosophy," Cicero does not here assert (as he does elsewhere) that the Stoics hold the same views as their philosophical predecessors (cf. for example, IV.2). Instead, he claims that the Stoics' opinions about the strictness and self-sufficiency of virtue unwittingly maintains something of the views of all people (*omnes*) about virtue: the hope that hard work and strength of character will lead to a happiness that can survive all manner of adversity is not at all alien to ordinary opinion. But Cicero also emphasizes the confusion that the Stoic doctrine would cause in political life (IV.21-22). He describes the difficulty a speaker would have in defending criminal punishment in Stoic terms or appealing to citizens to take up the defense of their city against an approaching enemy in Stoic terms (IV.22). Cicero thus begins to indicate the threat that Stoicism poses to politics. The success of such a speaker, if he is not simply a demagogue, would turn on his ability to appeal to his audience's devotion to the city, to the their belief that a real injustice and harm occurs when a crime is committed or an enemy wins. The restraint that law can

exercise upon its citizens also requires that they believe the punishments it hands down to those who violate it to be true deprivations.

Nevertheless, Cicero's accusation about the absurdity of expecting that an orator, "with Hannibal at the gates," would "declare that captivity, enslavement, death, and the loss of one's homeland are not evils," exaggerates the strangeness of the Stoic terminology in one important respect (IV.22). It is often the case that the statesman must deprecate the evil of death when addressing his people in war.[58] Indeed, such deprecation is crucial if we are to believe it right or just to risk death in defense of the common good. In these circumstances, we do believe, in a way, that death is not an evil or, at least, that it is not the worst evil. This belief is, however, rooted in the thought that "captivity, enslavement…and the loss of one's homeland" *are*, in fact, evils that we would prefer to die resisting rather than accept. In other words, the willingness to die is deeply connected to a devotion not simply to virtue, but to the political order that makes the virtuous life possible and whose bonds center around family and fellow citizens. Although the Stoics share with ordinary civic morality the hope in the self-sufficiency of virtue and the contempt for death, their belief that their understanding of virtue is perfectly rational, independent of external circumstance, and superior to the common view, disregards the passions and attachments that are a powerful source of the very virtues they esteem and wish to cultivate.

---

[58] Consider, for example, how Pericles, in his Funeral Oration, depicts the Athenians who died in the opening battles of the Peloponnesian war: "For giving in common their bodies, they took individually the praise which is ageless and the most distinguished tomb: not that in which they lie, but that in which their fame is left forever remembered on every opportune occasion in speech and in deed" (Thucydides, *History of the Peloponnesian War*, trans. Thomas Pangle, II.43.2). To the British and American people confronting war with Nazi Germany, Winston Churchill affirmed that "we need not bewail the fact that we have been called upon to face such solemn responsibilities. We may be proud, and even rejoice amid our tribulations, that we have been born at this cardinal time for so great an age and so splendid an opportunity of service here below" (Churchill 2001, 810).

Cicero complicates his argument, however, by gently suggesting to his reader that the Stoics themselves do not accept their own teaching wholeheartedly. Instead, Stoic philosophy "speaks a common language in public, but its own language in its treatises" (IV.22). Only the text of the Stoic books, says Cicero, contain their new terms. It is possible that Cicero wishes to indicate that the Stoics wrote esoterically and kept their true doctrine—that which was laid out in their books—for the advanced students initiated into their school. Cicero discounts this possibility, however, when he criticizes the Stoics for lacking the subtlety of rhetoric employed by Plato and Aristotle (IV.5-7).[59] Cicero implies, rather, that the Stoics fall back on more traditional understandings of virtue as a good but not the sole good when speaking in public, which shows that their deepest concerns comport with the ordinary, rather than novel way of speaking. The obscure language they use to speak of virtue, however, prevents them from acknowledging their own attachment to the ends that virtue serves. Cicero does not deny that there is something powerful in the Stoics' terminology; he does deny, however, that this terminology does justice to the hopes and concerns the Stoics themselves maintain.

While Cicero suggests that the Stoic teaching obscures one's own desires from oneself, Cato declares that it provides the wise man with judgment so clear that he will be able to pick the right time for his own death (III.59-60). It is a duty (an action that aims at a natural principle) to live "when most of what one has is in accordance with nature" (III.60; cf. III.22). When one believes oneself to lack what is in accordance with nature, death is most appropriate. While Cato courageously declares that it may be the case that "it is the duty of the wise man to depart from life though happy," he also reminds us that,

[59] Cicero's main interlocutor in Book V, Piso, notes explicitly that Aristotle distinguished between his esoteric and exoteric works (V.12). Cicero does not, however, rule out entirely the possible existence of an esoteric Stoic teaching, although he does seem to imply that such a teaching, if it exists, must be subject to the same difficulties as its popular counterpart.

for the Stoic, "living happily—that is, living in harmony with nature—is a matter of timeliness" (III.60-61). Cato thus presents a portrait of the Stoic whose happiness is independent of the length of his life and who would look upon death as nothing bad in comparison with a life that must be inconsistent with the dictates of nature. Moreover, the Stoic would choose death not simply in the latter case, but even as soon as it is merely "envisaged," or merely appears to be the case (III.60). But happiness, as Cato recalls, is precisely the life lived according to nature, and he maintains throughout his speech that this can be achieved only through the life of virtue. Virtue, however, once attained, is immune to pain or suffering and impossible to subjugate: "the wise may have their body put in chains, but you will never chain their soul" (III.75). Cato's comment provokes us to wonder, then, in what way the wise man, who possesses virtue permanently, can ever be said to lack most of the things that are in accordance with nature?[60] If the answer to this question involves difficulties of external circumstance, then one must drastically reduce the extent to which one believes virtue, and through it happiness, to be self-sufficient. Indeed, Cato claims that "the whole rationale for either remaining in or departing from life is to be measured by reference to those intermediates" he has already discussed (III.61). Cato had distinguished virtue, the good, from intermediate things that should be "selected but not sought" (III.22, 52-54). This distinction was made, however, in order to explain the view that there are many things or qualities in life that we might prefer, on balance, to have—such as health, sufficient nourishment, and leisure—but that are ultimately in no way necessary for our happiness, which requires only that we live virtuously. Cato now holds that these desirable but unnecessary things are the sole consideration upon which the decision to live or die must be based!

[60] This contradiction is apparent in the writings of other Stoics as well. Compare, for example, Seneca's "On Providence" with his seventieth letter, on the subject of suicide. Cato's own suicide is discussed at length in each.

Cato's surprising assertion that the wise man's duty may require him to sacrifice his life *even when he is happy* (because he is wise) presents the additional problem of setting virtue against happiness, but it also goes some way toward explaining the strangeness of Cato's understanding of suicide. Suicide, in Cato's view, is the appropriate action if circumstances lead one to the opinion that living a virtuous, and therefore, happy life seems impossible. But the duty to sacrifice one's happiness that Cato mentions in passing contradicts the duty to maintain one's life when "most of what one has is in accord with nature" and the belief that what virtue prescribes and what our happiness requires are always the same thing. For if the sacrifice of one's happiness can indeed be a duty, then it must either be the case that sometimes death is most appropriate even when the life according to nature is available to us or that sometimes the dictates of virtue are inconsistent with our own happiness. Moreover, only suicide that includes the element of sacrifice seems to have a place among noble or beautiful deeds (cf. II.65-66). Cato's attraction to the nobility of suicide, therefore, forces him to call "living happily" that which is actually a transcending or sacrifice of happiness. Thus, although he takes up the discussion of suicide in order to emphasize the ease with which the wise man can relinquish the false goods of fortune, he must, in the end, admit their real goodness in order to preserve the nobility of giving them up.

STOICISM'S COSMOLOGY

The doubts about the self-sufficiency of the life hitherto praised as complete and blessed raise questions about Cato's view of the gods and his understanding of the relation between the human things and the divine. These issues come to the fore of Cato's speech when he turns to consider the social and political relations of human beings. He states that all human association springs, at bottom, from natural familial

love. This love extends beyond our immediate families and creates "mutual and natural sympathy between humans, so that the very fact of being human requires that no human be considered a stranger to any other" (III.62-63). For the first time in his speech, however, Cato also here begins to talk about the existence and power of the gods, or divine will. His discussion weaves back and forth between assertions about the force or strength (*vis*), of nature, on one hand, and the will (*numen*) of the gods on the other. Cato attributes the origin and bond of human fellowship in separate instances to both sources (cf. III.62-63 with III.64) but never explains the connection between them. He seems at first to conceive of the gods as buttressing the inclinations and acts to which nature on its own first points us. Cato notes that the "safety of men lies in [Jupiter's] protection,"[61] but also that men "are joined and brought together among ourselves by nature into civic communities" (III.66). If human welfare were solely the province of the gods and in no way shaped by our own actions, says Cato, "there would be no place for justice or benevolence" (III.66). At the same time, however, he states that human beings "place the common advantage before our own" as a consequence of the belief that we live with the gods in a world that "is ruled by divine will" (III.64). Cato thus articulates two considerations that appear to be in serious tension with each other. If the virtues are controlled by the gods or are merely their gift, rather than natural to human beings, he suggests, then we cannot rightly call a man just or moderate, since he is not the author of his own deeds. Virtue, Cato claims, is possible only if we understand ourselves—and not the gods—as primarily responsible for our own well-being and happiness. But, according to Cato, belief in the goodness of virtue—with the sacrifice of narrow self-interest that it often entails—also requires the belief that the order of the cosmos and the common good

[61] The Latin *salus* which is translated as "safety," need not connote simply physical preservation, but also the welfare or salvation of the soul.

are held together by divine rule. Cato seems, then, unwittingly to admit that there is something lacking in the goodness of virtue, on account of which the promise of divine reward is necessary. He shows for a moment a quiet doubt that virtuous action is sufficient for our happiness.

Cato turns lastly to the study of logic and natural science, which he calls virtues for the first time. Logic provides the method by which one must study and natural science is the substance (III.72-73).[62] It is impossible, according to Cato, "to make judgments about good and evil unless one understands the whole system of nature, and even the life of the gods, as well as the question of whether or not human nature is in harmony with that of the universe" (III.72-73). In spite of Cato's effort to show otherwise, Cato's initial statement reminds us of the degree to which the place of humanity in the universe remains a question. Indeed, if Cato is right that we cannot make true judgments about the good without knowledge of the place of human beings in the universe—as parts of the whole—then, insofar as we lack knowledge of the whole, the status of virtue and the meaning of human happiness must also remain questions. At the same time, if the study of the whole of nature is the precondition for knowledge of the good and can alone "foster justice and preserve friendship," then it is surprising that Cato spends so little of his speech addressing it (III.73).

Indeed, Cato also appears to leave open the refutation of his own view should the investigation of nature point instead to the conclusion that there are no gods or that nature lacks a benevolent intention with respect to human beings. At the very least, Cicero gives us plenty of reasons to question Cato's teaching about nature and, therefore, his teaching about the status of human beings within the natural (or divine) order. It is not

[62] It is striking that Cato does not mention at all *political* science or political philosophy.

Cato's intention, however, to encourage such skepticism. Cato has full confidence that natural philosophy directs one to the support of justice. He believes that the study of nature is most important because through it the gods are revealed as supporting our endeavors. Just as the opinion that the Stoic teaching about virtue is perfectly rational leads Cato to neglect the extent to which the virtue he admires is tied to civic and familial associations, it obscures the fact that he fails to submit to rational examination the pious hopes he attaches to virtue.

Cato, however, shows himself to be somewhat uneasy with his own revelation. He claims that he has been carried away in his speech beyond his original plan, inspired with admiration for the "marvelously systematic" Stoic doctrines (III.74). Cato goes so far as to praise the structure and neatness of Stoicism above that of the natural order while he simultaneously asserts that "nothing is more finely arranged than nature" (III.74). Cato thus once again reveals that his admiration of nature is founded upon and preceded by his moral concerns. The appeal of Stoicism lies, for him, in its claim to adhere to the commands of nature while also promising the transcendence of nature in a way that conforms to our deep-seated hopes about the life of virtue. To Cato, wisdom seems to consist less in the culmination of a rational examination of nature than it does in a kind of worship or admiration of nature. Cato closes his speech with a dramatic peroration extolling the excellence of Stoicism and the wise man it cultivates, but his almost inadvertent admission about just how important piety is to him is the last substantive claim that he makes before Cicero begins his reply.

STOIC TERMINOLOGY

Cicero begins his response to Cato's long speech with the claim that the Peripatetics "expound the same doctrines" as the Stoics with less innovative vocabulary (IV.2).

Cato's extreme resistance to this assertion leads one to question its validity and even Cicero's seriousness in making it, yet he repeats it in various forms throughout their conversation (cf. for example, IV.60, 70-73). Moreover, through Cato, Cicero calls our attention to the fact he is not the first to identify the views of the Stoics with those of the Peripatetics, but that this claim was originally articulated by the Academic Carneades (III.41).[63] Cicero points nevertheless to a particular shift in vocabulary as the very source of the supposed disagreement between the Stoics and their Peripatetic counterparts. Those things that the Peripatetics called good in addition to virtue, the Stoics insist, are "actually 'preferred,' not good…[and] are to be 'adopted' rather than 'sought'" (IV.20). Cicero first mockingly decries this shift as wholly arbitrary. Yet, as he later indicates more clearly, these new terms are deeply revealing and not arbitrarily chosen. To speak of something as preferred or adopted, rather than simply good, or sought, suggests that one has a great degree of control over the selection or rejection of the objects of one's choice and desire. The Stoic, according to Cicero, calls "disease, poverty, and pain not evil, but…worthy of rejection" and those things which have value he "speaks not of seeking but of selecting, not of wishing for but of adopting" (IV.72). The Stoic attempts through this shift in words to show his desire to be less subject to the passions, or even to

[63] Carneades, who lived during the second century B.C., was a head of the Academy, the school which claimed to follow the philosophy of Plato. Whereas in other works Cicero associates himself explicitly with the Academy (*DND* I.11), he makes his own relation to any of the schools especially difficult to determine in *De Finibus*. By using the position of an Academic to defend an apparently Peripatetic position (the school which took its teaching from Aristotle) Cicero indicates that he is not simply a partisan or follower of any one school or doctrine (cf. I.6). Indeed, in his discussion with Cato, Cicero never claims allegiance to the Academic school. On what he considered to be the most important part of philosophy—political science—Cicero also argues that there was fundamental agreement between Plato and Aristotle (IV.5, 72). It follows, then, that insofar as they overlook or obscure this basic agreement, both the Academic and the Peripatetic schools fall into errors not made by the thinkers they claim to follow. Cicero's refusal to declare his allegiance to any one school in *De Finibus'* investigation into the good for human beings helps to emphasize the schools' philosophic deficiencies.

wishes, and to have complete control over his vulnerability to pain and, as Cato's discussion of suicide shows, above all to death.[64]

Cicero's depiction of Cato in particular and Stoicism in general as misunderstanding their own desires reveals, however, a serious point in his puzzling argument that, in spite of the different terminology, the Stoics agree with Cicero in substance. If the Stoics were able clearly to examine their own souls unencumbered by the fancy language of Stoic philosophy, they would find themselves in agreement with Cicero. Such an agreement, however, could take place on the basis of two different views of the relation of Stoicism to the correction that Cicero articulates in *De Finibus*. On one hand, when Cicero argues that "not one of our views is different, once one alters the terminology and compares the actual substance," he may mean that although the teaching of Stoicism already agrees, at bottom, with his own view, the Stoics' way of speaking prevents them from recognizing it (IV.60). On the other hand, Cicero's argument may imply instead that Stoicism makes crucial mistakes in its teaching which, if it could see past the "glorious grandeur of language," it would have to abandon, and with them all objections to Cicero's position (IV.60).

Cicero shows that he ultimately takes the second view when he stops his speech for a moment in order to reply in Cato's name (and at Cato's request) to this puzzling argument. Here Cicero indicates clearly the gulf between Stoicism and Platonic and Aristotelian philosophy (IV.62-64). If Cato were to reply honestly to Cicero's arguments, Cicero says, he would have to admit that he "simply could not bear it" that the ancient Greek philosophers "thought that a morally good life which also had health, reputation and wealth would thereby be a preferable, better, and more desirable life than

[64] Howes, however, questions whether "Cicero tried to take seriously the purpose of the Stoic attempt to revise our language of evaluation" because neither Cato nor Cicero address the proto-Kantian claim made by some Stoics that "only a morally good will was *unqualifiedly* good" (1972, 58; italics in the original).

one which was equally moral but, as with Alcmaeon in Ennius, was 'beset on all sides by illness, exile, and poverty'" (IV.62). Not only does Stoicism truly diverge, then, from Platonic and Aristotelian philosophy, but it is also led to this divergence on the basis of a powerful hope about the goodness of virtue which it refuses to examine. But, while Cicero does not restrain himself from picking apart and revealing many of the inadequacies of Cato's defense of Stoicism, he does not force Cato to examine this hope and account for it. Because he does not seek to make Cato and the students of Stoicism philosophers, but good citizens, Cicero only quietly reveals the distance between his own thought and Stoicism's, while seeming, on the surface of his speech, to refine the Stoic moral teaching on the basis of the claim that Stoicism already agrees with his own view.[65]

Cicero shows, then, that the Stoic terminology which is meant to clarify and distinguish the good from the merely preferable, together with their doctrine that we should live according to nature, leads to confusion about how we understand the good. Just as "Zeno was wrong to claim that nothing other than virtue carries any weight in the attainment of the supreme good," so too is it a mistake to think "that nothing else has any effect on the happy life, yet that other things can affect our desire…as if this desire of ours were not aimed at attaining the supreme good" (IV.47). Stoicism maintains virtue at the top of its hierarchy of desires, but the relation of everything else to the highest good is ambiguous at best. The Stoics rank the various objects of desire, but they insist that these objects "have no bearing on whether one lives happily or miserably" (III.50). Cicero's response questions the possibility of sustaining this sort of thinking. He implies that the only way that we can rank the priority of what we desire is by the extent to which each thing helps us attain the good for ourselves. The truth of this claim is illustrated by the

[65] Cato's conclusion at the end of Cicero's speech, that although Cicero rejects the Stoics' "new terminology," he "actually accept[s] all [their] doctrines" signifies, perhaps, Cicero's success in this part of his project (IV.80; cf. IV.2).

lengths Cato must go to in order to maintain the distinction between the good and the preferable (or what is to be selected, but not sought) and by Cato's ultimate failure in this task. According to Cato, "everything that is good"—namely, virtue alone—"we say, occupies the first rank" (III.53). Next, "what we call advantageous or superior must be what is neither good nor bad," and is therefore defined as "indifferent" (III.53). It is not clear, however, how one thing can be superior or preferable to another if neither has any significance for the attainment of our happiness. Moreover, Cato's explanation of the criteria by which we judge between the secondary objects of our desire belies the insistence upon their indifference. Virtue, says Cato, can be thought of as a king at court. Our preference should be for those things which, "while lower in order, [approach] nearest to the pre-eminence of the king" (III.52). But if this is the case, then the secondary objects, far from being indifferent, are distinguished precisely by their ability to bring us closer to the king or, in other words, the good.

But, according to Cicero, the Stoics make the mistake of believing that

> one returns to nature to seek out a principle of action and duty once one has grasped what the supreme good is. Considerations of action and duty do not motivate us to desire the things that are in accordance with nature. Rather the latter are what motivate our desires and our actions. (IV.48)

The Stoic psychology again puts the cart before the horse. Their desire to live according to nature is founded upon an already present conviction that virtue is the supreme good and the opinion that nature can lead them toward it. Against this view, Cicero argues that our desires are rooted in nature and naturally diverse in their objects. Only by being open to what these multifarious desires suggest about our nature can we then come to understand what is good for us. And only on the basis of this understanding can we begin to determine how we should live.

THE DESIRE TO TRANSCEND HUMAN NATURE

It is the hope for a permanent happiness that is invulnerable to fortune that leads the Stoics to hold out virtue as something exceedingly difficult to achieve, but complete and permanent upon its attainment. But this standard by which virtue is virtue only in its complete form is, as Cicero now states explicitly, completely unconnected to human experience, especially our experience of ourselves as political. Not only must this standard of virtue fail to account for the true happiness of the philosophic life exemplified by Plato, but it also fails as a political standard. This view, Cicero argues, can "have no place in the life of the city…No one could take seriously anyone who spoke like that, and set themselves up as an authority on the wise and dignified conduct of life" (IV.21). By proclaiming all people miserable who lack complete virtue, the Stoics detach themselves from the concern of crucial civic virtues and devotion: "in declaring what is moral to be the only good, [they] do away with…the direction of public affairs, the conduct of business, and the duties of life" (IV.68). Thus, according to Cicero, the Stoic understanding of virtue is a standard to be adopted neither by serious philosophers nor by serious political men.

Cicero's charge that the Stoics' devotion to virtue ultimately undermines duty itself brings a second side of his critique to the fore. He begins from the Stoics' total disregard for human nature insofar as they disregard the concerns of the body. Cicero asks, "how and where did you suddenly abandon the body and all those things that are in accordance with nature but not in our power, finally discarding duty itself?" (IV.26). If, as suggested above, the Stoics associate especially the passions and pains of the body with the vulnerability to chance (III.25), then it is not surprising that they attempt wholly to remove bodily concerns from their conception of the good. But, as Cicero now suggests, it is impossible to conceive of the good of any living creature whose end is to

live according to nature that does not include some cognizance of its physical existence. The nature of every animal necessarily includes its body (IV.26-29).

Nevertheless, Cicero indicates that the Stoics are not alone in their disparaging of the body. Certain other philosophers (whom Cicero does not name) began their examination of nature with the evidence available to sense perception, but, having ascended to a "grander and more divine vision," "they abandoned the senses" (IV.42).[66] In the same way, the Stoics "moved on from original desire to the beautiful vision of virtue and cast aside all that they saw apart from virtue" (IV.42). Human beings, like all animals, have a nature that is fixed and permanent. Both human and animal nature is rooted in self-love and "there is none that ever abandons either itself, or any part of itself…or indeed anything, whether process or state, that is in accordance with its nature" (IV.32). On this basis, however, Cicero wonders, "how is it, then, that human nature alone should abandon itself, forgetting the body and placing the highest good not in the whole but in a part of itself?" (IV.34). Cicero thus suggests that while the Stoics are mistaken, there is something peculiar about human nature that invites their particular mistake. Human beings, alone among the animals, are not simply at home in their bodily nature. Human nature alone wishes, in some way, to abandon this part of itself and exist as something more noble and pure. With this recognition, then, Cicero concedes that there is something inherently and deeply appealing for human beings in the Stoic promise of invulnerability to bodily concerns or external forces. But both the attraction and the promise, as Cicero has already emphasized, are based on a misunderstanding of our natural happiness.

---

[66] These unnamed philosophers may, in fact, be the Epicureans since they too, as Cicero shows in Books I-II, hold out the promise of a life impervious to fortune for the wise man.

Because their understanding of virtue took account of only half of nature, the Stoics "failed to realize that they were undermining the foundations of those beautiful objects of their admiration" (IV.42). This undermining occurs in both a theoretical and a political sense (and this would seem to go along with the fact that Cicero places the beautiful things that are undermined in the plural: "*illarum pulchrarum*"). Stoicism draws on a powerful attraction to the nobility or beauty of moral virtue but, because it calls the attainment of that nobility wisdom, it obscures the path to an adequately capacious and honest understanding of the desires and passions of the soul. The truly rational—and therefore wise—understanding of human nature, Cicero intimates, must include an account of what is subrational in us. At the same time, the denigration of the bodily concerns—which in many ways are the basis of our involvement in and attachment to political life—draws the followers of Stoicism away from the messy and often undignified life in politics. The Stoics' uncompromising quest for perfect virtue turns them away from the primary arena in which noble deeds are possible. That Cato maintained his political involvement in his own life may indeed bear witness to his attachment to civic virtue apart from his devotion to the Stoic school.[67] But Cicero warns that virtue, once severed from politics, a primary source of our moral concerns, loses its foundation and, therefore, its support.

CICERONIAN WISDOM

Cicero presents his own conception of wisdom which clarifies how we might begin to account for the whole of human nature rather than only its most majestic or

---

[67] In *De Natura Deorum*, a dialogue also concerned with the teachings of Epicurean and Stoic philosophy, the only interlocutor not explicitly said to be involved in politics (in a group consisting of a Stoic, an Epicurean, and an Academic skeptic) is the Stoic interlocutor, Balbus. He is described as "so accomplished a student of Stoicism as to rank with the leading Greek exponents of that system" (*DND* I.15).

beautiful aspects (IV.34-36). In order to illustrate his understanding of wisdom, he begins by using the analogy of a sculptor who "can start a work from scratch…or can take over an incomplete work from someone and perfect it" (IV.34). Human wisdom, he says, "corresponds to the latter case. It did not itself create the human race; it took over, incomplete, from nature" (IV.34). In his brief account Cicero mentions three times that the formation of human nature is left unfinished or imperfect.[68] It follows, according to Cicero, that the first question that must be asked is "what is the character of human beings that nature left incomplete?" (IV.35). Whereas the Stoics allow themselves to be carried away by admiration for what they believe is the perfection of our nature, Cicero emphasizes instead a fundamental imperfection in it. As he has already noted, this imperfection consists especially in the lack of a perfect correspondence between our natural desires and the happiness that our nature is capable of attaining (IV.32). Wisdom's task—to finish the sculpture which nature began—is then understood as the attempt to bring the desires in harmony with, rather than transcend, the truth of our natural happiness.

This task can be accomplished only, says Cicero, if we "watch nature closely" and do "not hesitate to inquire what has been achieved by the whole of [man's] nature" (IV.34, 36). Stoicism's moral teaching prevents it from adequately undertaking this inquiry. Because this teaching holds that "there is nothing to be perfected except a certain operation of the intellect," it not only discards the body as a concern, but also attends only to a certain part of the soul. As a result, the Stoics hide from themselves the motions (*motum)* of the soul that do not always comport with their view of reason. These elements are therefore simply neglected or, as Cicero's depiction of Cato suggests,

[68] The word Cicero uses in all three cases is a form of the verb *incoho*.

conflated with the perfection of our reason. But only by accounting for the whole of the soul together with the body can we understand what it means to take nature as the guide for how we should live.

Cicero also mentions briefly that a sculptor can begin a work from scratch. He thus considers for a moment the possibility that nature does not give us guidance about ourselves or that the good for human beings is not tied to a permanent human nature that has been, so to speak, set in stone beforehand by nature. Cicero rejects this possibility almost as soon as he raises it, but he gives his reader license to wonder what kind of natural order (or lack of it) the sculptor who begins his work from scratch might represent. If we take Cato's speech as a guide, we are led to consider that the art of the sculptor may be not human but divine wisdom and to picture a cosmos ruled by wise gods who created the human race. But Cicero's intimation of the work that human beings must undertake in order to attain a happiness founded in knowledge rather than hopes—the difficulty of bringing our desires into harmony with the facts of our mortality—does not seem to allow for a natural order designed by a benign intelligent mind. Wisdom, therefore, "did not itself create the human race" (IV.34). Cicero does not here offer a full justification of his rejection of this possibility; his primary goal in this section is, however, to set his reader on a path toward understanding the crucial questions that we must ask in order to do so ourselves. By presenting the shape that a serious inquiry about human nature must take, Cicero puts his reader in a position to evaluate for himself the evidence for Cicero's claims.

Nevertheless, although Cicero is not inclined to reject the attention that human wisdom must give to understanding nature, he assigns to nature a somewhat ambivalent relation to human beings. Nature must be our guide, he says, but we lack a complete picture of nature's project. Cicero thus gently leaves open the extent to which we must

work for our happiness and, to some modified degree, be our own product and not simply the product of nature.

Cicero shows that by neglecting subrational elements of our moral concerns, the Stoics threaten to undermine virtue itself. When the foundation of virtue is shaken, Cicero continues, wisdom has "nowhere to put its feet" (IV.69). To say that wisdom must rest its feet upon duty suggests that duty must be the starting point for wisdom. Indeed, Cicero may intend for us to recall his depiction of Socratic philosophy in the *Tusculan Disputations*: "Socrates was the first to call philosophy down from heaven and set her in the cities and bring her also into homes and compel her to ask questions about life and morality and the good and bad things" (*TD* V.4). It is necessary, according to Cicero, for philosophy to concern itself with the opinions that reveal themselves especially in our familial and political associations. Thus, the more that Stoicism—or Epicureanism—believes itself to have risen above these concerns without adequately understanding them, the more it disconnects itself from the only source of knowledge about our nature. In the *Tusculan Disputations*, however, Cicero does not say that by turning philosophy to the human things, Socrates altered the purpose or founded a new kind of philosophizing. Instead, Socrates is depicted as directing philosophy's gaze toward that which might help it attain what it had been seeking from the beginning. Similarly, that the feet of wisdom stand upon duty does not require wisdom to be merely an articulation of our opinions about duty. Because philosophy requires questioning these opinions and evaluating our moral concerns, the pursuit of wisdom must begin from, or set its feet upon, these opinions in order to fully understand them, but the head of

wisdom, so to speak, ascends from those opinions toward a comprehensive understanding of nature with the account of human nature at its core.[69]

Although *De Finibus* sets us on the path toward this understanding, Cicero indicates that the study of nature requires also an account of the gods' role in the universe and the relation of virtue to the divine. The "study of the heavenly things," and observation of "the gods' works and their acts," he says, instills "a certain sense of moderation," a "greatness of soul," and a "sense of justice" (IV.11). But Cicero does not undertake this study in *De Finibus*. His depiction of Cato shows that the Stoic theology, though it comes to the surface of Cato's speech only once (III.64-66), plays a crucial, if still ambiguous, role in his hope for the self-sufficiency of virtue for our happiness. But in spite of the implication that an understanding of the gods not only forms a fundamental part of the understanding of the whole of nature but also plays an important role in inculcating virtue, Cicero's interlocutors do not make the gods central to their speeches This omission suggests that, to some extent, their devotion to the philosophical schools has begun to replace the more traditional piety. In order to continue to trace Cicero's evaluation of Stoicism and the popularization of philosophy, it will be helpful next to turn to *De Natura Deorum*, in which he treats both the relationship of the moral teaching with the theology of the schools and the possibility that philosophy might fully replace piety as the foundation of civic virtue.

[69] For additional interpretations of Cicero's account of the Socratic turn, see Nicgorski 1992 and Barlow 1987.

Chapter 3: Cicero's Political Piety

> "What a pleasure to see him, in his book *On the Nature of the Gods*, make all the sects pass in review, confound all the philosophers, and mark each prejudice with some stain! Now he fights against these monsters; now he makes sport of philosophy. The champions whom he introduces destroy themselves; that one is confounded by this one, who finds himself beaten in turn."[70]

In *De Finibus*, Cicero indicates that a crucial stumbling block in the path of the Stoic attempt to equate virtue with the perfection of reason is an inattentiveness to the significance of the pious hopes that accompany and support their teaching. In *De Natura Deorum*, Cicero takes on this problem directly and reveals that he understands reflection about it to be of supreme importance. It is also in *De Natura Deorum* that Cicero considers, through his presentation of the interchanges between the interlocutors Balbus and Cotta, whether, in fact, an enlightenment that liberates citizens from pious superstitions can successfully take the place of religion in supporting virtue in a regime where religion no longer holds sway over men's souls. The questions and problems confronted in this work are thus very much akin to questions we face today. Indeed, the multitude of controversies in recent years over the sincerity of religious faith among our political leaders suggests, among other things, the strength of the opinion among many people that piety is the foundation of the moral goodness, or virtue, required among ruling citizens. At the same time, others argue that in spite of its apparent strength, religion has lost its moral force on the modern soul. We no longer live in a world inhabited by the supernatural beings to which religion commands that we devote ourselves, and that make vivid and enforce the moral commitments we value in our fellow citizens and leaders. It would be appropriate, then, for us to consider, with Cicero,

[70] Montesquieu (2002, 734).

what role piety plays in the cultivation of virtue and whether or to what extent reason can do so in its place.

In many ways *De Natura Deorum* is the most puzzling of Cicero's dialogues.[71] On one hand, Cicero begins the work by defending his allegiance to the Academic school (an allegiance which is never mentioned in *De Finibus*). But, on the other, he closes the dialogue with a vote of approval for the speech of the Stoic interlocutor, rather than the refutation of that speech by another Academic. The puzzle of the dialogue's framing is compounded by additional complications. To begin with, Cicero himself is present at the conversation recorded in the dialogue, but apart from a few preliminary remarks, says nothing at all to the interlocutors. Moreover, in spite of the fact that Cicero ends the dialogue by favoring the Stoic speech, none of the interlocutors—neither Velleius, nor Balbus, who advocate the Epicurean and Stoic views of the gods, nor Cotta, who attempts to refute them—comes to sight as a clear winner in their disputation. Indeed, Montesquieu sums up well the overall impact of the dialogue when he writes that "the champions whom [Cicero] introduces destroy themselves" (2002, 734). Most of Cicero's readers have taken the interlocutor Cotta as Cicero's spokesman in the conversation, but, as this chapter will attempt to show, Cicero gives us reason to think that we should be hesitant to do so.

As a step towards resolving these puzzles, it will be helpful first to examine Cicero's presentation of the purpose of the dialogue. Indeed, Cicero's introduction to *De Natura Deorum* sets the standards by which the speeches that follow it and Cicero's ultimate approval for Balbus' speech must be judged. In doing so, it presents the framework for Cicero's reflections about the role that reason might play and that religion

[71] All citations unless otherwise noted are to *De Natura Deorum*, (Cicero 1997). Translation has been modified on occasion.

ought to play in a healthy republic, as well as the alternative grounds that might be found for virtue when religion's traditional supports have been decisively undermined. Following Cicero's indication that the exchange between Balbus and Cotta is the heart of the dialogue (III.2-3), this chapter will then turn to consider their speeches.

CICERO'S INTRODUCTION: THE PROBLEM OF THE NATURE OF THE GODS

As he did in *De Finibus*, Cicero dedicates *De Natura Deorum* to Brutus, who is, he asserts, "by no means ignorant," of the fact that the "question of the nature of the gods is particularly difficult and obscure" (I.1). The claim that the "question of the nature of the gods" is especially perplexing directs Cicero's reader to consider first the meaning of the question itself. Whereas a number of Cicero's philosophical predecessors had written works entitled *On the Gods* (*περι θεων*), Cicero's insertion of "*natura*" in the title is striking. Indeed, to seek the nature of the gods suggests that the gods have an understandable, if not also permanent, character. Thus Cicero's interlocutors present the theologies of their philosophical schools and speak of the nature of the gods in the same way that we might speak of human nature. Whereas the traditions about the gods of Rome held them to be changeable and mysterious, the gods as described by Velleius (the Epicurean) and Balbus (the Stoic) are part of nature, pieces of a scientifically knowable universe. The core of their speeches concerns how human beings relate to the gods as part of this kind of nature. Cicero complicates the picture by presenting Cotta, a student of Academic skepticism, as calling into question not only the assumptions and arguments made by the other interlocutors, but also, though sometimes only indirectly, the ancestral traditions. For this reason, although Cicero claims in the end to approve of Balbus' account, the presentation of Cotta's counter-arguments and refutations suggests at the very least that Cicero does not wish us to accept too easily Balbus' speech as the truth,

nor does he expect his audience to return wholeheartedly to Rome's ancestral gods. The heart of the dialogue therefore comes to sight as an examination of how the popular philosophies understand piety and incorporate it into their own teachings and what political influence these teachings might have.

Cicero stresses the importance of this inquiry from the outset. He declares it to be "the most beautiful [noble] (*pulcherrima*) for the understanding of the soul and necessary for the regulation (*moderandam*) of religion" (I.1). But he anticipates a critique of his undertaking the investigation according to the philosophical approach of the Academic school, to which he claims allegiance. He begins to present this critique and to defend the Academy against it by first embarking on a defense of the prudence of the Academic teaching. The Academics alone, according to Cicero, recognize that "the opinions of the most learned men are so varied and so much at odds" that it is "prudent to withhold assent" (I.1). Prudence is thus singled out as the chief virtue of Academic skepticism, but Cicero knows that this same prudence leads many to believe that the Academy "snatches away the light and spreads night, so to speak, over things" (I.6). Against this criticism, Cicero offers both a philosophical and a practical defense, echoing his appeal to both the practical and philosophical importance of reflection about the gods. If, as Cicero suggests in the opening lines of this work, the inquiry about the nature of the gods—part of the quest to understand human nature—is a most beautiful or noble task, then virtue requires that one refuse "either to hold a false opinion or to defend without hesitation propositions inadequately examined and grasped" (I.1). For what, he asks, "can be more base (*turpius*) than rashness, and what can be so rash and unworthy of the seriousness and steadfastness of a wise man" as inadequate and hasty judgment? (I.1). Because it is only through the prudent refusal to accept what is inadequately defended that clarity is possible, skepticism is a necessary prerequisite in the attempt to distinguish false

opinions from true ones rather than an obstacle to sound judgment. Yet the moralism with which Cicero here defends the skepticism of the Academy—his emphasis on the baseness and the lack of dignity and *gravitas* of the alternative—indicates his awareness that the criticism of skepticism is not simply abstract or epistemological, but moral and practical. The light which skepticism denies us, according to the critique, is clarity about what is right or just and what actions are required of us at any given moment.

For this reason, Cicero also denies that philosophical skepticism must lead to practical inaction. Academic skepticism, says Cicero, is not radical skepticism. Academics "are not those to whom nothing seems to be true" (I.12; but cf. I.60, III.79). They claim instead that human nature is such that we cannot judge with full certainty whether something is true; we can go only so far as to say that something is "probable (*probabilia*)" (I.12). Nevertheless, these probabilities are, according to Cicero, clear enough to "guide the life of the wise man" (I.12).[72]

But this is, at best, an incomplete defense. Cicero's introduction also notes that the disagreement about the nature of the gods exists not just among the wise or educated, but among the "unlearned" as well (I.5). His defense of the Academic teaching thus provokes his reader to wonder whether the "probable" can give guidance not only to the wise man, but also to the unlearned, or, to put it another way, whether a political community can be guided according to an acknowledgment of our limited access to the truth. Cicero himself gives us reason to doubt that this is possible. The crucial controversy about the nature of the gods, he writes, concerns whether they maintain an active concern for and presence in human affairs or are aloof and uninterested in our fortunes (I.2-5). Cicero claims that the resolution of this controversy must have profound

[72] Fott thus mistakenly takes Academic skepticism to be a teaching that offers only "a method, not…any substantive conclusions" (2012, 153). For, as Cicero describes it, the method is important insofar as it ultimately leads to the clearest conclusions possible for a human being about how we ought to live.

political consequences. Piety, according to Cicero, is a "tribute which must be paid to the gods" only if there is also a "tribute by the immortal gods" paid in return to us (I.3). The introduction to *De Natura Deorum* thus presents a picture of piety as fundamentally a contract or exchange by which human beings pay the gods for the benefits they bestow upon us. All other possible elements of pious devotion—reverence and holiness, for example—are reduced to a condition of this *quid pro quo*, since gods who take no interest in human affairs can make no claim to be owed payment by us.[73] Without belief in this exchange of "tribute," says Cicero,

> it is necessary that sanctity and religion are carried away. And when these are gone, perturbation of life and great confusion follow; and with the disappearance of piety towards the gods, I know, loyalty and society in the human race and justice, the one most excellent virtue will be carried away. (I.3-4)

By homing in on this part of piety, he establishes from the outset its necessity as the foundation of civic virtue. Whereas he writes that the wise man can live according to the guidance of what he understands to be "probable" and refuses to accept inadequately examined opinions, Cicero claims here that justice loses its foundation without the belief in providential gods. That he mentions in the same breath that piety is the foundation of "loyalty and society" suggests that Cicero speaks here of human beings insofar as they live together and are citizens or members of a regime. He subjects to intense scrutiny in this work the root of Cato's view in *De Finibus* that human beings "place the common advantage before our own" as a consequence of the belief that we live with the gods in a world that "is ruled by divine power" (*DF* III.64). Indeed, Cicero here seems quietly to accept the objection which he explicitly denies, that skepticism about the gods "snatches

---

[73] In his speech recounting the Epicurean view, however, Velleius attempts to make the case that we ought to worship non-providential gods not in spite of their lack of concern for human affairs, but because of it. They ought to be revered, according to Velleius, for their possession of the total freedom from care to which human beings aspire (I.45 with 51-53).

away the light" by which human beings live.[74] To the extent that controversy or uncertainty about the gods exists among the unlearned, civic virtue will be undermined. The good statesman, it seems, must do all he can to encourage people to accept an opinion about the gods which Cicero admits is philosophically uncertain. Cicero gives an example of such a statesman in his *De Republica*. In that work, Scipio recounts that under the rule of Romulus the early Romans had "spirits which were then monstrous and wild with eagerness for making war (*DR* II.27). Numa's great expansion of the official religious rites and laws was required in order to "infuse" the Romans "with a love of leisure and peace, through which justice and trust most easily grow strong" (*DR* II.26). Indeed, Scipio points to the religious establishments by Numa as crucial for the cohesion of the republic at its founding and for its ultimate longevity. In *De Natura Deorum*, however, Cicero suggests that the religious institutions are powerless without the underlying belief in divine providence. Without this belief, he claims, the trust and concern for justice that secure the republic will wither away.

Nevertheless, this view does not keep Cicero from defending skepticism as a philosophical necessity. His defense of the Academy includes a brief consideration, almost in passing, of those of his readers who wish, above all, to know his own opinions about the gods (I.6, 10). To these readers, he writes that those "who are keen to learn" must "look to the weight of reason rather than authority," for "the authority of those who claim to be teachers" often presents "an obstacle," which causes students "to cease to apply their own judgment" (I.10). By warning his readers that they should want to learn what reason dictates rather than what Cicero thinks, Cicero underlines the necessary difference between those who seek "the understanding of the soul," and those who wish

[74] Cicero is therefore less confident than Nicgorski takes him to be that "when philosophy presents itself humbly, acknowledging its ignorance in the most uncertain and obscure matters, then it is most acceptable to intelligent and practical men" (1984, 571).

to undertake "the moderating of religion" (I.1), for whereas the former must subject all opinions to questioning, the latter is required to reinforce a particular authoritative opinion.

Cicero also offers us a glimpse of his own philosophical activity and its intimate connection with politics. He states that while the opportunity to write was provided only by his exclusion from politics, his own philosophic study is not the fruit of a recent interest (I.6-7). It is rather the case, Cicero states, that "I was *most* philosophizing when I least appeared to be doing so" (I.6, emphasis added). To demonstrate this, Cicero calls our attention to his "speeches, which are filled with the opinions of the philosophers," and his "familiarity with the most learned men who often graced my house" (I.6). There is perhaps something playful not only in Cicero's pointing to his acquaintance with the most learned men in Rome as an instance of his least appearing to philosophize, but also his declaration that he was most philosophizing when he would mention a philosophic *bon mot* in an oration.[75] As Baraz puts it, "the actual examples of this phenomenon that he provides are inconsistent with the grandness of the initial claim" (2012, 138). But this playfulness carries with it the serious suggestion that Cicero understands his speech-giving, that is to say, his political activity, to be part of his philosophizing.[76] And if Cicero was indeed *most* philosophizing when engaged in political activity, he suggests that for him, not only the observation of, but also the participation in the political life of his regime may have been a crucial part of his attempt to understand human nature. To put it another way, Cicero indicates that he believes that his own political activity serves

[75] See, for example, Cicero's *Pro Archia*, *Pro Sestia*, and *Pro Murena*.

[76] Baraz argues that Cicero uses these examples in order to convince those suspicious of philosophy that it has a role to play in "demonstrably approved Roman activities" and that "philosophy is not separable from public life, let alone a threat to it" (2012, 139). When discussing Cicero's view of the contribution philosophy might make to politics, however, she does not attend closely enough to the tension Cicero intimates between skepticism and the authoritative opinions that politics requires, nor does she discuss Cicero's suggestion that, for him, participation in public life contributed to his philosophizing.

a philosophical end in addition to, but separate from, his civic obligations. We may speculate that he sought to observe how his own soul was moved by his ambitions, passions, and feelings of civic obligation (See, for example, *DR* I.7-10), just as he observed the same workings in others.[77]

Cicero's initial praise of the Academy appears to apply, then, only to its theoretical prudence. He gives us additional reason to doubt whether the prudence of the Academic school extends to political life when he reminds his readers that the skepticism required in the attempt to understand human nature is difficult to sustain on any kind of wide scale. Indeed, Cicero expects many in his audience to be surprised that he defends a teaching that was "long ago given up" by its own practitioners (I.6). To this objection he responds in two ways. He states first that "when men die their opinions do not perish with them, though perhaps they suffer from the loss of their authoritative exponent (*auctoris*)" (I.11). But he also admits that Academic skepticism is "almost bereft" of students in Greece, where it originated (I.11). Moreover, as he notes this, he appeals to three authorities of the Academy—Socrates, Arcesilas, and Carneades—as evidence of the school's greatness (I.11). Without rejecting his own insistence on the obstacles that appeals to authority place in the way of clarity of judgment, Cicero indicates that the Academy as a school depends on the authority of its teachers as much as any other school. He thus implicitly distances himself from most of the students of the Academy insofar as they are not able to live according to what he identifies as its fundamental teaching. Cicero states, in addition, that the apparent failure of the Academy as a school is no fault of its own, but rather attributable to "the dullness of mankind" (I.11). But this

[77] Cicero's portrayal of himself is thus quite different from his portrayal in *De Republica* of Scipio, who also pursued both politics and philosophy. For Scipio relates that he used to philosophize while engaged in public service, "even under the walls of Numantia itself," but he does not suggest that his public service was part of, or contributed to, that inquiry (*DR* I.17).

strange and qualified praise suggests the serious difficulty that must be faced by a school whose basic teaching, as Cicero indicates, seem openly to fly in the face of moral uprightness and undermine the healthy cultivation of civic virtue. If the establishment of a popular philosophic school is the method by which Academic philosophy sought in part to acquire the allegiance, or at least the tolerance, of those threatened by skepticism, Cicero suggests it has not succeeded. Indeed, Cicero shows that the Academy—and therefore genuine philosophy as he understands it—is particularly ill-suited to popularization. Its skeptical teaching, in the rare cases that it is truly understood, undermines the weight of authority that schools must bestow on their leading lights in order to attract new students. And when this skeptical teaching is only partially understood, as Cicero's discussion of the objections against the Academy suggests it usually is, it is dangerous rather than beneficial both to the student and to the regime.

Cicero follows his presentation of Academic skepticism by describing the ultimate goal of the dialogue as the setting out of "the opinions of the philosophers" in order to "judge which of them is true" (I.13). He thus shifts from defending a philosophy that takes its bearings from what is "probable" or similar to the truth to speaking of the need to find the truth without any qualification. He draws attention to this shift by following it with an oath that calls for divine aid in satisfying the need for certainty (I.13). Cicero's oath quotes from Caecilius Statius' comedy *The Fellow Youths*: "gods, and all citizens and youths, I pray, beg, demand, implore, beseech your aid." (I.13).[78] But in the same breath Cicero playfully points to the absurdity of such an oath in this context. For he adds to this quotation an explanation that at this moment in the play a woman has spurned a lover's gift, and he offers a second quotation, in which the play's speaker

[78] Only fragments of Caecilius Statius' plays, many of which were adaptations of Menander, remain. Cotta refers to the same play at III.72-3.

comically calls this slight "a capital crime being committed in the city" (I.13). Cicero insists that he mentions this in order to show that the dialogue's theme is more important than the matter at issue in the play (I.14). If the undermining of piety destroys justice in the political community, then the skeptics are guilty of the crime pointed to by the speaker. But Cicero has also gone out of his way to show us that he has just associated the goal of his own investigation with a ridiculous comedy. By calling attention to the speaker's comic exaggeration, Cicero seems to point to the problematic fact that he has just set out as the purpose of this work a task that is impossible for human beings. For if, as Cicero writes, we are able only to know what is "probable," then the project to tell which of the philosophers' opinions about the gods is true is beyond the limits of human knowledge. Perhaps this is why Cicero must call on divine support for an inquiry that is skeptical of the gods themselves. We are left wondering, then, how Academic philosophy, as Cicero understands it, can address the gulf between the knowledge of the truth that Cicero says is the aim of the dialogue and also suggests is politically necessary, and the limited knowledge he claims is possible.

Cicero's introduction thus leaves his reader with a set of questions. He praises the philosophical prudence of Academic skepticism while at the same time suggesting that the Academy lacks the necessary political prudence. He emphasizes the political necessity of belief in divine providence while openly advocating a philosophical outlook that refuses to accept that belief. To add to these puzzles, Cicero's conclusion of the dialogue appears to contradict his introduction. Although he begins the work explicitly defending and praising the Academy, Cicero ends the dialogue by saying that, of the arguments made during the conversation, "it seemed to me that Balbus' is closer to a semblance (*similitudinem*) of the truth" (III.95). Readers of the dialogue have tended to understand Cicero's conclusion as a prudential, but highly superficial, attempt to appear

pious in order to mask his true agreement with Cotta's impious refutations.[79] There is something to this reading. Because Cicero does not pronounce Balbus to have presented a view that offers "a semblance of the truth," but states only that the Stoic arrived at something "closer" to one, we see that in Cicero's judgment Balbus' account falls short of attaining the wisdom that is available to human beings.[80] But the seriousness with which Cicero treats the dialogue's theme in the introduction belies the shallowness that the standard interpretation would require. If Cicero truly thought it necessary to hide the appearance of impiety, then *De Natura Deorum* must be judged a failure, for all three of the dialogue's main interlocutors openly critique (to varying degrees) the ancestral gods of Rome. Cicero's presentation of the dialogue suggests instead that he did not fear great political repercussions for himself from accusations of impiety (Pease 1913, 29). If his verdict is prudential, then, this prudence must have some source other than fear of persecution.

Fott offers as an alternative interpretation the view that Cicero's verdict in favor of Balbus results from Cotta's inability to maintain the true skeptical method of philosophical investigation on account of his "dogmatic naturalism" (2012, 167; see also 168, 174-6). But Fott himself acknowledges that however badly Cotta falls short of the requirements of serious philosophical skepticism, Balbus—and Stoicism as a whole—reject skepticism altogether (2012, 175; see *DND* II.2). Cotta's failures as a skeptic cannot fully account, then, for Cicero's conclusion. Instead, if Cicero's introduction is to

---

[79] Among Cicero's historical readers, Lactantius (*Divine Institutes*, 2.3.2) and Augustine (1998, 5.9) read Cicero's conclusion this way and take Cotta as Cicero's true spokesman. Rosenblitt also suggests that Sallust read Cicero in this way (2011, 420ff). For contemporary readers who argue for this view, see Burriss (1926), and Levine (1957), and against it, see Pease (1913), Wilhelmsen and Kendall (1968-69), Heibges (1969), and Fott (2012). Heibges goes the farthest in attributing to Cicero a "perfect agreement with the Stoic teaching" (1969, 308). Fott's "Review of Secondary Sources" (2012 155-158) also provides a helpful overview of the scholarly reception of Cicero's work.

[80] Fott notes as well the qualified nature of Cicero's approval of Balbus (2012, 155).

act as our guide through dialogue, it shows that we must understand the conclusion according to Cicero's two-fold concern for politics and philosophy. Fott adds that Cotta "fails politically because his speeches have the effect, and maybe the purpose, of undermining support for religion" (2012 175), but he does not take up Cicero's intimation that this may be a failure also of Academic skepticism as a school or address what it is about Balbus' account that leads Cicero to give it his qualified approval. This chapter will attempt to show that Balbus' remarks over the course of the conversation suggest that he is the only interlocutor who both shares Cicero's concern for the cultivation of civic virtue and fellowship and attempts to articulate a theology to support them. It is, moreover, only when Balbus' speech is considered alongside Cotta's attempt to refute him that Cicero's philosophical reasons for favoring Balbus' speech in spite of the Stoic's dogmatism begin to come to light. For what Fott points to as Cotta's deficiency as a skeptic is only one part of his failure to fully appreciate piety's place in the political sphere. Whereas Fott separates Cotta's political failure from his philosophical failure, Cicero ultimately suggests that they are closely connected.

THE SETTING OF THE DIALOGUE

Cicero offers a certain amount of biographical information about his interlocutors. It is noted during the conversation that Cotta is a *pontifex*, one of the highest offices of the religion of the Roman republic (II.2, 168). In addition to his priesthood, Cotta served as Consul in 75 BC and was well-known as an orator.[81] Little is known, however, of Balbus and Velleius beyond what is said of them in *De Natura Deorum*. Cicero notes that Velleius was a senator and the leading Epicurean in Rome (I.15). Of Balbus, he says only that his "studies among the Stoics were so advanced that he bore comparison with

[81] One of Cotta's speeches remains in fragment 2.44 of Sallust's *Historiae*.

the outstanding Greeks of the School" (I.15). Cicero also relates that he was present at the conversation, but as an interlocutor he is largely silent. Balbus is thus given the highest rank among the interlocutors for his intellectual achievements, but he is the only interlocutor who is not shown in the dialogue to be involved in Roman politics. The differences between Balbus and Cicero are only emphasized by the similarity in the lives of Cicero and Cotta. If Cicero's ultimate verdict in favor of Balbus implies a critique of Cotta, it is perhaps then also a quiet critique of the effects that the Academic school can have on people like Cicero himself, or of the risks of the philosophical education that Cicero received as a young man.

The dialogue itself consists of four long speeches: Velleius and Balbus each present accounts of the nature of the gods and Cotta responds to each in turn. About the date and setting of the conversation Cicero gives few details. He relates only that he and the others gathered at his friend Cotta's house during the Latin Festival (I.15).[82] The occasion of the Latin Festival calls our attention to the conversation in Cicero's *De Republica*, which was said to take place during the same festival approximately fifty years before this conversation takes place (*DR* I.14). As Levine notes, this celebration of the ancient alliance between the Latin and Roman peoples affords the interlocutors in both dialogues the opportunity to take the leisure necessary for their conversation without appearing to abandon their public business (1957, 8). But by connecting the settings of the two dialogues Cicero also suggests a more important thematic connection between them. In *De Republica*, Cicero's Scipio discusses with his interlocutors the "nature of each political thing" through observation of the "paths and bends" of the republic from the time of its founding (*DR* II.45). On the basis of these observations, Scipio teaches

[82] The drama of the dialogue can, however, be dated to 76 BC, before Cotta's consulship in 75 BC and between Cicero's travels to Greece from 79-77 BC and his service as *questor* in Sicily. See Walsh's introduction to his translation of the work (1997, xxxviii).

that "the nature of political things often defies reason" (*DR* II.57). *De Natura Deorum* begins from this lesson and addresses directly the question of whether piety is the only corrective to the weakness of reason in political things.

Before the conversation begins in earnest with Velleius' account of the Epicurean teaching about the gods, Cicero presents a brief preliminary exchange between the interlocutors. He recalls that Cotta had invited Velleius, Balbus, and the young Cicero to his house specifically so that Cotta could dispute about the gods with representatives of the Epicurean and Stoic schools (I.15-16). Velleius interprets the addition of Cicero to the conversation as an attempt by Cotta to rig the conversation in his favor by bringing in a like-minded ally (I.17). The young Cicero makes his final remark of the entire conversation to insist that "you should not at all judge me to have come as his second, but as a listener, and an impartial one, with independent judgment" (I.17).[83] Cicero thus states emphatically what he indicates more gently in the introduction, that his interest lies not in defending the teaching of a particular school as such, but in evaluating for himself the merits of the different arguments about the gods, and therefore, by extension, helping us to do the same. Moreover, by distancing himself not only from the Academy as a school, but also from Cotta in particular, Cicero also indicates that readers of the dialogue ought not to accept Cotta too quickly as a spokesman or mouthpiece for the older Cicero's views. Nevertheless, the dialogue's conclusion in favor of Balbus demonstrates that Cicero agrees at least with Cotta's claim that Balbus' account of the Stoic view of the gods is more serious than the Epicurean account, which "does not put up a great fight about the immortal gods" (III.3). It will be helpful, then, to turn to Balbus' speech in order to understand what this seriousness consists in.

---

[83] Cicero's first remark notes that if a Peripatetic had been invited, "no school of thought—at least of the respectable ones—would go unrepresented" (I.16).

BALBUS' POLITICAL PRUDENCE AND NATURALISTIC PIETY

The significance of Balbus' speech can best be seen if we first consider the short exchanges that take place immediately preceding and following it. Balbus takes over the conversation from Cotta in Book II. He begins not by delving immediately into the Stoic account of the gods, but by reminding Cotta of his civic obligations as a priest. Cotta declares, at the beginning of his response to Velleius, that "my mind more easily apprehends why something is false rather than why it is true," and asserts that "if you were to ask me my view of the nature of the gods, I should perhaps have nothing to reply" (I.57; see also I.91, II.2-3). Balbus, however, cautions Cotta that, as "both a philosopher and priest," he "should not have erroneous and unsettled opinions about the immortal gods like the Academics, but steady and certain ones, like us" (II.2). When he concludes his speech, Balbus offers a second appeal to caution. He describes his own speech as an account of what "must be said," directed especially to Cotta as "a leading citizen and pontiff" (II.168). He now warns Cotta in his capacity as powerful citizen rather than as a philosopher and contrasts the account of what "must be said" with what Balbus calls Cotta's own habit of "rhetorical exercises" (II.168). Taken together, Balbus' warnings suggest that he attempts to convey a lesson that is as much about the practice of political prudence as it is about the nature of divine rule of the universe. Indeed, Balbus adds that "being accustomed to argue for and against the gods is bad and impious, whether sincerely (*ex animo*), or as a pretense" (II.168). But rather than take Balbus' advice, Cotta repeats his assertion that he "is able to say more easily what [he] does not think than what [he] does," and notes now that this is true "especially about such things" as the gods (II.2-3). Whereas Cicero claims that Academic skepticism is the most difficult teaching to live by and to understand (I.11-12), Cotta adheres to it because it seems easier to him to refute than to offer a positive explanation for things, and he does

so especially where such an approach, according to Cicero and, it seems, to Balbus, is civically dangerous. By offering an account in his speech not simply of what he thinks about the nature of the gods, but of what he "think[s] must be said," Balbus thus presents to Cotta—and to Cicero—one model of the political prudence that he attempts to convince them is necessary.

The opening stages of Balbus' speech further indicate his agreement with Cicero's assertion that piety plays a central role in healthy politics. But whereas Cicero appeals in the introduction to piety's role in inculcating virtue, Balbus draws our attention first to the way religion serves the practical advantage or interests of the regime. Although Balbus dismisses the stories "of Mopsus, Teiresias, Amphiaraus, Calchas, and Helenus" as "baseless fictions of fables," he presents seven episodes from Roman history when divine beings are said to have presented themselves to men, which he claims offer evidence that "the gods often make their effective presence felt" in our lives (II.7, 6). He draws from the recollections and reports of statesmen, generals, and armies during the wars and upheavals that accompanied Rome's attempts to establish the dominance of the republic over the rest of Italy and later to expand the empire. Balbus concludes that Roman history shows decisively that "the republic was enlarged by the command of those who obeyed [the dictates] of religion" (II.8). But to show that the regime benefits when it is guided by pious rulers is not to prove that the gods do, in fact, reveal their presence to human beings. Indeed, Balbus' recounting of these reports about the gods are no less hearsay than the fables of the tradition that he dismisses as fictions. As such, they cannot act as the proof of divine presence that Balbus takes them to be. But taken together, they nevertheless seem to suggest that in politics and war the hopes and fears about the gods have a particularly powerful influence on the soul and that it is therefore by observing political life that piety can be most clearly understood. At this stage in

Balbus' speech, Cicero goes only so far as to present this observation for our reflection, but he has already indicated in the introduction that he believes politics to be the arena in which human nature can best be understood (I.6).

At any rate, Balbus praises the strength of Roman piety, which he declares grows "greater and better in our day" (II.5). In spite of this declaration, however, Balbus admits that piety in Rome is not nearly as strong as he initially suggests. He notes first that not even old wives are now "so senseless as to be greatly afraid of those monsters below that were formerly believed in" (II.5). Although Balbus insists at first that this is an advantageous development, he soon laments that "the most important activities of the state, including the wars that ensure its safety, are conducted without taking the auspices" because of the "carelessness of the nobility" (II.9). It was only in "the times of our forebears" that Roman rulers were guided by the dictates of religion. Yet Balbus, who alone among the interlocutors is concerned by this weakening of religious observance, does not attempt to defend or resurrect the ancestral religion of Rome. If Cicero does not, through Balbus, seek to show how one might refortify the old religion, he seems, then, to leave only two possible resolutions. Either the popular philosophical theologies of the schools, of which Stoicism is the most serious alternative, can take the place of the old beliefs, or some other ground for the cultivation of virtue must be sought.[84]

Indeed, Cicero points to the benefits of piety in political affairs when Balbus turns next to relate the story of Tiberius Gracchus' cancellation of an election during the consulship of Publius Scipio and Gaius Figulus. A death during the election indicated that the auguries had been taken improperly (II.10-11). As Balbus tells it, Gracchus'

[84] This other ground could, of course, be a new religion. It is perhaps striking that Cicero does not explicitly entertain that possibility in this work. We may perhaps attribute this to the fact that the dialogue focuses on what happens to piety when it is filtered through popular philosophy and whether philosophy or some form of rational enlightenment can ultimately perform the civic function of religion.

decision to cancel the election when he could have concealed the impropriety reflects the deep piety of the previous generation of rulers and their devotion to the good of the republic. But Cicero intimates that a different conclusion is possible. Balbus mentions in passing that Gracchus' first thought was to complete the election in spite of the death, but he then changed his mind, perceiving that he had disturbed the religious scruples of the people (II.10). It is only after Gracchus came to this realization that he admitted to having taken the auguries improperly and cancelled the election. Balbus thus professes a pious interpretation of the story of Tiberius Gracchus, but shows, perhaps unwittingly, that Gracchus ultimately feared the anger of the people more than that of the gods (cf. Cicero's discussion of the same episode in *DD*, I.33 with II.74-75). Although Balbus does not reveal what Gracchus would have gained had the election stood, his account suggests that the piety of the people restrained Gracchus' pursuit of his own advantage over the good of the republic. But, as Balbus has claimed, the force of popular piety has dwindled and with it, as a result, the restraints which directed citizens and statesmen to act justly, even if only for prudential reasons. He thus goes on to present in its place a version of the Stoic cosmology and theology which, he claims, gives rise to "piety, to which is joined justice and the rest of the virtues" (II.153).

Balbus divides his account into four sections, addressing the existence of the gods, the nature of the gods, their ordering of the world, and their concern for human beings (II.3). But the central claims of all four stages rest on two separate kinds of arguments that Balbus makes in various forms throughout his speech. He makes, on one hand, what he presents as rational inferences from the order of the cosmos to a conception of nature itself as divine, rational, and wise. On this basis, he elaborates a version of Stoic theology that synthesizes aspects of the traditional religion with a more rationalistic natural science. But Balbus also appeals, on the other hand, to a feeling of

awe and reverence which, he asserts, necessarily accompanies the contemplation of the order of the cosmos. Ultimately, it is the appeal to this feeling that acts as the foundation of both sets of Balbus' arguments. As will be shown in what follows, Balbus argues for the existence of perfectly rational gods governing a perfectly rational universe largely on the basis of non-rational evidence.

Balbus explains that the Stoic Cleanthes[85] taught that there are four separate causes that lead to "notions of the gods [being] formed in the minds of men" (II.13). These, he states, are the recognition of the gods' foreknowledge of the future, inferences from the advantages of our natural climate and resources, fear of threatening or inexplicable natural phenomena, and, finally, the order and beauty of the objects in the heavens (II.14-15). Balbus purports to prove that the gods have knowledge of the future which they communicate to us through auguries. He states that "if there are interpreters of certain beings, it is necessary that those beings must themselves exist; but there are interpreters of the gods; therefore we must acknowledge that the gods exist" (II.12). To support this claim, he compares the art of augury to the art of medicine and reminds his interlocutors that just as we do not reject the truth of medical science because sick patients are not always cured, so must we refrain from rejecting the art of prophecy even though predictions are not always born out by events (II.12). The account of Tiberius Gracchus has already shown, however, that the use of the art of augury is no sure evidence of intervention by the gods. Moreover, Cotta's eventual reply to this claim points to a fundamental difference between arts of medicine and prophecy that Balbus fails to address: whereas the art of medicine is potentially available to all who wish to pursue it, the art of divination cannot be wholly grasped or practiced except by those

[85] Cleanthes was head of the Stoic School in the third Century, B.C.E

select human beings who possess a peculiar connection to or favor of the gods (III.14-15). Balbus offers no evidence that divination by augurs ought to be trusted except their "great authority" (II.12). We may wonder whether Balbus himself accepts the sufficiency of that authority, but if we attend to the guidance that Cicero offers in his own name about the weight of authority to those who wish to learn, then the weakness of Balbus' argument becomes clear (I.10). Indeed, Balbus' speech to this point has done far less to demonstrate that the gods have a presence in our lives than it has to show the belief in the gods' presence has, in Rome's past, helped to cultivate a devotion in rulers to the good of the regime and, failing this, to restrain them from acting in ways that harm it.

Balbus' account of Cleanthes' argument that ideas about the gods are rooted in fear of natural phenomena is similarly weak. He reminds his interlocutors that in Rome the appearance of "twin suns" in the year of Publius Africanus' death "terrified the people," and led them "to suspect the existence of some heavenly and divine power" (II.14-15; cf. *DR* I.15), but, as Cotta later notes, Balbus gives no argument to suggest that the people were correct in their assumption (III.16-17).

Much of Balbus' speech follows from the advantages of our natural surroundings and the ordering of the cosmos, the second and fourth causes of piety identified by Cleanthes. Balbus again treats these causes as though they prove that gods exist. The beauty and order of the cosmos that one comes to recognize through the contemplation of nature is, according to Balbus, the "greatest" of the causes of belief identified by Cleanthes (II.15). Balbus argues that observation of the uniform and continual motion of the stars and planets proves decisively that "the movements of nature are governed by some mind," because order, he asserts, cannot be the result of chance (II.15). But, claiming to follow Chrysippus, Balbus adds that anything that accomplishes what the reason and power of human beings are unable to accomplish is superior to human beings.

And, since the heavenly things could not have been created by human beings, that which created them is superior to us (II.16). About this creator Balbus asks,

> What better could you call this than god? For if the gods do not exist, what can there be in the nature of things better than man?... But that a man should think that there is nothing in all the world (*mundo*)[86] better than himself is an insane arrogance. (II.16)

At stake, then, is not only an inference about the character of the universe, but the question of the support that the universe gives to our moral commitments. The arrogance that Balbus identifies is a false sense of superiority, or a kind of injustice. An arrogant person takes or believes he deserves to take more of the good things than he truly deserves. Balbus' concern is, therefore, a moral one above all. He senses, or fears, that without something more powerful protecting and watching over us, the restraints that hold us back from seeking what is not rightfully ours would inevitably weaken.[87] To defend against this possibility, he presents an apparently simple logical conclusion: "therefore," he claims, "there is something better," and these are the gods (II.16). He does not take up the implication that it would not be arrogance for human beings to think that we are the best things in the cosmos if there are no gods. Balbus concludes that the gods exist because the alternative would be morally problematic. In this way, Cicero shows Balbus falling into the same error as is made by Cato in *De Finibus*. Just as Cato shapes his account of human nature to fit his commitment to virtue as the only good (rather than to fit a rational observation of human beings), Balbus constructs an account of nature to fit or satisfy his moral hopes (*DF* III.11, 17). But the desire for or even necessity of something does not make it fact. Balbus does not seem to recognize that his

---

[86] *Mundo* is translated as "world," but also carries the connotation of the cosmos as a whole.

[87] Compare the moralism of Balbus' statement with Aristotle's reflection on the meaning of wisdom and prudence in the *Nicomachean Ethics*: "it is strange if someone supposes the political art or prudence to be most serious, if a human being is not the best of things in the cosmos" (2011, 1141a20-22). What Balbus calls an "insane arrogance" Aristotle invites his reader to consider as a serious possibility.

fear of the injustice to which atheism may lead points only to the potential moral, and perhaps political, benefit of piety, rather than the truth that such a superior divine power as Balbus describes exists.

Nevertheless, Balbus attempts to locate this power in nature itself. He describes a rational intelligence that "holds together the whole world and preserves it" but also attributes to the whole of nature and to many of its constituent parts certain anthropomorphic characteristics which together support a belief in divine providence (II.29). He claims that the "ruling principle" (*principatus)* of nature both has and "is owed supremacy" over the whole, for it is "the most worthy of power and rule" (II.29). Balbus thus emphatically ascribes to the god of nature the moral authority to rule over all things. Indeed, he seems to draw the fact of its rule from the assertion that it is most deserving.

Balbus then winds his way through a picture of the character of this ruling principle. From the moral authority to rule, he goes on to infer that that which rules over nature necessarily possesses the perfection of all the excellences characteristic of the beings within nature and especially of human beings (II.30, 32, 37). As a result, he attributes to the ruling principle also sensation, perfect reason, wisdom, and virtue (II.30, 39). Initially "the ruling principle of the world" is said to belong to the world itself as a whole, the "god" whose "divine nature contains all the force of the world" (II.30). Balbus adds, however, that "once we have recognized that the world possesses this divinity, we must assign that same divinity to the stars" (II.39). He argues, moreover, that the heat contained by the stars proves that they are living beings, and that their living "in the aether" shows that "it is fitting that they have sense and intelligence, from which it follows that the stars must be numbered among the gods" (II.42, 43). Thus, not only is the world as a whole divine, but so are some of its parts. Indeed, Balbus claims that the

regular motion of all the things in cosmos shows that they must all be gods as well, "possessing intelligence, mind, and reason" and also prudence (II.54-55; see also 50-53).

But Balbus does not stop at attributing divinity to "those beings whose notable power and distinguished appearance we behold, namely, the sun, moon, planets and fixed stars, and the heavens and the world itself" (II.80). He adds surprisingly that "all things that are contained in the entire world for the great use and benefit of the human race are gods" (II.80). Balbus goes to such great lengths to prove the gods' concern for human beings that he attributes divinity to anything that serves to benefit them. The intention of this surprising attribution of divinity to everything that benefits human beings is indicated by a brief digression he makes near the middle of his speech comparing the accounts of the gods presented by "the wisest men of Greece and our ancestors" and that of the poets (II.60-72). According to Balbus, both the Roman fathers and the wisest of the Greeks "established and named" many "divine natures" because of their "great benefits for us" (II.60). These men did not merely describe things that are divine, but rather, as Balbus suggests by noting that they established (*constitutae)* the divine natures, made a deliberate decision to give the name of gods to things, such as food and wine, that are not divine (II.60). They also assigned divine status to beneficial qualities, such as faith, mind, virtue, and honor (II.61). But Balbus criticizes the ancient men for lacking real understanding of the good for human beings in their project of deifying the beneficial things, that is, for deifying false goods, as well as for deifying bad things. For not only were the virtues called gods, but also "wealth, safety, concord, freedom, and victory," whose "force was so great that they were not able to be ruled without a god" (II.61). These Balbus likens to the vices "desire (*cupidinis*), pleasure, and Venus Lubentina," which owe their deification more to the lack of control which human beings have over them than to any benefit they offer us (II.61). Yet Balbus continues to maintain that all

"these gods owe their divine status to the great benefits which they bestowed" (II.62). He thus begins, in what follows, to elaborate on the crucial error made by the ancestors and wise men and to show how his own account of the gods corrects that error while maintaining their original intention.

Indeed, Balbus drops for a time the claim that the wisest men of Greece had anything to do with the ancestral account of the gods which he describes. He explains instead that "human life and common custom" deify the excellent men who benefit human beings (II.62). That he attributes this practice to custom rather than wisdom suggests that Balbus views this practice with less than enthusiastic approval. He confirms this when next he criticizes the poets for "pouring from natural science (*physica*) a multitude of gods…clothed in human form…cramming our lives with every kind of superstition as a result" (II.63). The poets, according to Balbus, corrupt our understanding of nature, the object of true religion, by impiously adorning it with human appearance and emotion. But what Balbus calls superstition—the depiction of the gods in Homer and Hesiod—is the ancestral religion of Greece and Rome. Balbus attacks the poets for manipulating natural science such that "the good and useful discoveries from natural science have resulted in the creation of false and fictitious deities" (II.70). He attacks especially their presentation of the gods with all the vices and frailties characteristic of human beings. They cultivate "false opinions, troublesome errors and superstitions" by foolishly portraying the gods as wildly passionate, often disturbed and angry, lustful, and petty, (II.70). Balbus relates that it took Zeno and his successors to expose the lies of the poets by revealing the natural phenomena that lay under the poets' adornments. Thus, according to Zeno, Hesiod's depiction of the mutilation of Caelus (Ouranos) by Saturn (Kronos) and Saturn's imprisonment by Jupiter each describe particular astronomical phenomena (II.63-65, 66-69).

Balbus' denial that goods of fortune such as freedom and security are true goods insofar as they are beyond our control calls to mind Cicero's argument in *De Finibus* that this part of the Stoic teaching contains a crucial philosophical and political error. Had Cicero conversed with Balbus as he shows himself doing later in his life with Cato, he might have pointed, for example, to the necessity of freedom for the honor which Balbus claims was rightly identified by the ancestors as a good (II.61). Balbus' own acknowledgment that these objects, many of which are obtained and cultivated primarily in political life, were so deeply sought after as to be given divine status shows that he ought to reconsider whether the desire for them can ever be jettisoned on a wide scale. Nevertheless, Balbus, who exhorts Cotta to reflect more cautiously about his political activity—both for the sake of his civic obligations and for the sake of his philosophical understanding—does not see that his advice and his own evidence point away from the teaching he professes. Balbus' critique of the poets reveals a scorn for the piety of his ancestors which seems to contradict his insistence to Cotta that it is necessary to support the ancestral religion (II.71).

Balbus uses the exposure of the great stupidity of the old myths, however, to support a transformed naturalistic piety that he defends in its place. His account re-ascends from what is sanctioned by "human life and common custom" to that which "not only the philosophers, but also our ancestors" approve (II.72). They return now to lend weight to Balbus' distinction "between superstition and religion" (II.72). According to Balbus, they understood the distinction as one between piety that was "deficient" because it was aroused by their fear of death and piety that was "praiseworthy" because rooted in careful attention to worship and understanding (II.72). Balbus himself, however, reformulates the distinction between superstition and religion so that it depends on the extent to which one is able to worship the gods with "mind and voice" uncorrupted by

"the names which custom has imposed on them" (II.71). Zeno's method of applying the ancestral names to nature thus seems to be something of a middle ground that points, for Balbus, toward the peak of piety, understood as the contemplation of the cosmos unencumbered by the residues of custom.

But Balbus' presentation of the contemplation of the stars as the peak of piety also contains a criticism of what he takes to be the philosophic understanding of natural science. He relates the story of a shepherd in Accius' *Medea* who, having never before seen a ship, catches sight of Jason's Argo on the sea. The shepherd "at first sight imagines that he sees something lifeless and lacking sense, but later, when the signs are clearer, he begins to suspect" that the ship is "divine and new" (II.89-90). But whereas the shepherd came to see the divine hand responsible for the Argo, the philosophers, says Balbus, "seem to harbor not even a suspicion of the immense marvels of sky and earth" (II.90). The philosophers, according to Balbus, do not accept the premise that observable order necessarily indicates a divine source. Their mistake, in his view, is that, although they study astronomy, they do not let "the first sight of the world confuse them," and thus have never admired "the wonderful adornment of the sky" (II.90, 94). Balbus argues that when we look at the heavens we should allow ourselves to be filled with the feeling of wonder and amazement that would come immediately to people who set eyes upon the universe and its workings for the first time (II.94-9; II.17). Against the philosophers' refusal to be enchanted by the contemplation of the heavens, Balbus quotes a passage of Aristotle at length to describe this feeling and to show that, having encountered for the first time "the power and beauty" of the earth and "beheld the risings and settings of all those heavenly bodies, and their prescribed, unchangeable courses through all eternity," people "would certainly believe that gods existed and that these great manifestations were

the works of gods" (II.95).[88] According to Balbus, Aristotle corrects the mistake of the philosophers because he understands the feeling of wonderment Balbus appeals to. Yet Balbus' quotation leaves as an open question whether Aristotle accepts this feeling as a trustworthy or definitive guide to the character of the universe. Indeed, Cicero may quietly hint to us that Aristotle's understanding differs from Balbus', for Balbus stops short of presenting Aristotle's evaluation of that belief. After relating Aristotle's description of the people who see the sky for the first time, Balbus says only "thus far Aristotle" (II.96). It is only once Balbus describes a second hypothetical scenario of his own in which people come to be impressed by the order of the universe that he concludes that we cannot fail to see that "this is achieved not merely by reason, but by reason which is preeminent and divine" (II.97). For their part, according to Balbus, "the philosophers" to whom he refers but never names, are not attuned to this feeling at all. And Aristotle, insofar as he suggests an alternative to their disenchanted rationalism, is not called a philosopher by Balbus. Against the philosophic attitude, Balbus wishes us to embrace the feeling of awe at the beauty of the ordered cosmos as indicative of and evidence for the goodness and wisdom at its core. He encourages us to "investigate the causes of the universe" (II.97). Yet what Balbus calls the knowledge of the universe that comes from this investigation not only embraces, but is founded upon, what Balbus himself calls a confusion, one which he believes we should seek to maintain rather than attempt to resolve.

Cicero brings to the fore the tension in this argument when Balbus next attempts to demonstrate the manifestly intelligent design of the universe. According to Balbus, the capacity to deduce the rationality at work in the universe from observation of its order is

[88] Balbus quotes from Aristotle's dialogue *On Philosophy*, now lost.

peculiarly human, and we make this deduction in the same way that we deduce skilled craftsmanship from observation of a beautiful clock (II.97). Balbus notes, however, that when we behold the cosmos we also feel that it was "created with such a degree of intelligence (*consilio*) as our own intelligence fails totally to comprehend" (II.97). Balbus' argument thus rests on a contradiction. He claims, on one hand, that because of the fundamental similarity between human and divine nature, perfect understanding is available to all human beings of the universe and the divine power that controls it. But, on the other, he also claims that the excellences of this divine power so far surpass our own that it is impossible for human nature to grasp it. The order of the cosmos remains, in a crucial way, a mystery to human beings. This mystery is perhaps as much, if not more, the source of the feeling of awe to which Balbus appeals than is our comprehension of the universe. As if to emphasize this contradiction, Cicero relates that just as Balbus turns to an account of the kinds of observations of nature he claims act as the proof of divine rationality and beneficence (II.98-134), he declares that "we may now abandon the refinements of argument," gently underscoring Balbus' departure from the standards of the rationality he purports to revere.

As proof of the "providence and care of nature," Balbus extends Cleanthes' claim to find evidence of divine beneficence in our natural resources to the many benefits that "the gods" have given human beings in the form of our body and the faculties of our mind (II.134-153). Balbus begins and ends this account by reminding us of the special place that human beings have in the cosmos. Chief among the gifts of nature is that "she has raised men from the ground and made them stand tall and erect, so that by gazing on the sky they could acquire knowledge of the gods" (II.140). We are born on the earth, but, according to Balbus, we are not truly "natives and dwellers there" (II.140). Balbus seems to suggest by implication that our natural home is with the gods in the heavens.

Like Cato, Balbus articulates an understanding of the human nature that "forget[s] the body and plac[es] the highest good not in the whole but in a part of itself" (*DF* IV.34). Cicero thus reveals in Balbus the same hope for immortality that Balbus himself says led "human life and custom" to deify great men and that led people troubled by "superstition" to pray continuously that their children would outlive them (II.62, 72). Balbus' account encourages us to find our greatest fulfillment in the lofty permanence and order of nature rather than in our own activity or in the pursuit of objects of our desire, both of which are inevitably tied to this-worldly concerns that change with and depend upon circumstances outside of our control. We ought to recognize, says Balbus, that "human reason…has penetrated the sky," and that by observing and contemplating the cosmos, "the mind arrives at knowledge of the gods, from which arises piety, to which is joined justice and the rest of the virtues" (II.153, see also II.147-148). And while Balbus defends the Stoic view that "immortality…has no relevance to the good life," his explanation of the goods attained by contemplation suggest that he is not able to hold strictly to this doctrine (II.153).[89]

On the basis of this contemplation, says Balbus, we come to recognize not only that human beings *alone* can contemplate the heavens, but also that we alone share with the gods the world as a common home made for our mutual benefit (II.154). Earlier in his speech Balbus explains that the gods have "the same reason, the same truth…and the same law which enjoins right and rejects wrong" to human beings (II.79). He thus gives the impression that our good accords with and is secured by the workings of the divine order which he has praised throughout his speech. However, Cicero quietly shows the difficulty Balbus has defending this belief as he takes up the task of describing the many

[89] Thus, while Pangle correctly notes that Balbus does not appeal in his account of the gods to an afterlife, Cicero shows a certain hope for immortality lurking under the surface of Balbus' claims (1998, 249n.53).

ways we can see that the universe is made for our benefit (II.155-163). Although Balbus continues to maintain that human beings and gods "alone use reason and live by justice and law," he also admits that the world is only "almost" (*quasi*) the common home of gods and men (II.153-4, c. 79). Balbus does not explain why, if human beings and gods share virtue and reason and live according to the same law, they do not share the universe also as a common home without qualification. Moreover, though Balbus concedes early in his speech that human nature, while capable of reason and virtue, is not perfect, but only a "small part" of perfection, he does not here draw the simple conclusion that the gods have a greater share of rule because of their greater, or complete, perfection of virtue (II.38,3 9; c. II.16, 97). Instead, Balbus deepens the ambiguity when he points to the relationship of Athens and Sparta as emblematic of the relationship of gods and men (II.154). He claims that "just as Athens and Sparta were founded for the Athenians and Spartans, and that everything in those cities is rightly said to belong to those peoples, so all that exists…must be regarded as the possession of gods and men" (II.154). Balbus' surprising analogy helps to obscure, rather than emphasize, the gulf that separates human beings from the gods insofar as he likens them to two human regimes. But in doing so, Balbus introduces a more deeply problematic view of the relationship. Athens and Sparta are most famous to us, as they were known in Rome, either as uneasy and suspicious allies in the ancient war against the Persians or as enemies in the Peloponnesian war. Their initial cooperation depended upon a powerful external threat and began to fall apart almost as soon as that threat was even temporarily removed. The territories and possessions Balbus alludes to were, moreover, contested by empire-building and colonizing armies. The Athenians and Spartans fought not only over their own

possessions, but also over opposing conceptions of what justice and the law require.[90] If the gods relate to human beings as the Athenians did to the Spartans, that is, as adversaries, then it can no longer be clear whether or to what extent the gods care about the human good or enforce human justice.

The problematic character of Balbus' presentation of divine providence persists as he attempts to prove that the gods care for individuals just as much as they do for mankind (II.164). We must not reject the belief in the gods' care for individuals, Balbus claims, "just because a storm has damaged someone's cornfields" (II.167). He argues instead that the "gods attend to important issues and disregard minor things" (II.167). And yet the kind of event that Balbus describes as minor is precisely the sort of misfortune that human beings pray that the gods will prevent. Balbus concedes this when he notes that victims of misfortune are usually regarded as the objects of "divine hatred or neglect" (I.167). But by this admission Balbus greatly reduces the greatness and splendor of divine power to which he has appealed throughout his speech. He gives no reason at all why the gods should not or cannot attend to all individuals rather than only the great ones. But Cicero indicates that Balbus is perhaps cognizant of this difficulty by the evidence Balbus gives to affirm the gods' care for great men. To prove that the great men of Roman and Greek history were always attended by "divine aid," Balbus appeals to Homer (II.165-166). Appearing to forget his critique of the false opinions and superstitions cultivated by the poets, Balbus points to Homer's portrayal of the heroes and the gods who acted as their companions as authoritative proof of the gods' active concern for human beings (II.166). In this way, Cicero shows that even if Balbus is unaware of the tension in his speech, Cicero himself recognizes that the truth about

[90] See, for example, the speech of the Athenian visitors to Sparta in defense of the Athenian empire and the Spartan king Archidamus' speech concerning whether to go to war in Thucydides' *History* (I.73-1.85).

divine providence is at least not as obvious as Balbus here asserts. Nevertheless, Cicero's ultimate approval of Balbus' account at the end of the dialogue indicates that in some way he agrees with or learned from it. Balbus attempts to formulate a kind of piety that supports virtue through a teaching about nature somewhat more rational than the ancestral religion and, therefore, somewhat closer to the rational pursuit of knowledge which Balbus believes is the highest human good. Cicero's subsequent presentation of Cotta's refutation of Balbus suggests, however, that Cicero is not satisfied that Balbus' account of the gods is successful in either its political or philosophical aims; perhaps Balbus fails in both. To understand Cicero's appreciation of Balbus' successes and his failures, it is necessary, then, to examine Cotta's reply.

COTTA'S REBUTTALS

Cotta, who has already admitted to his guests that he is attracted to Academic skepticism because he finds it easier than defending any positive claims, comes to sight as intellectually lazy, on one hand, and potentially civically irresponsible, on the other. Moreover, in the short interlude after Balbus' speech, Cicero shows that Cotta is not interested in learning from his conversation with Balbus, in spite of his repeated protestations that his "intention is not so much to refute…as to seek guidance about points [he] did not understand" (III.1, 4). Whereas Cicero himself attends the conversation in order to listen and evaluate what he hears, Cotta spends the time in which Balbus is speaking "pondering what arguments I might say against [him]" (III.1, cf. I.17). In other words, Cotta is less concerned with understanding Balbus' presentation of Stoic theology and philosophy than he is in devising refutations of it. Cotta is also not bothered by the possibility that even refutations require understanding of one's opponent. Thus, as he does in *De Finibus*, Cicero again seems to indicate to his readers a certain

deficiency in the conversation that he describes in this work. Cotta raises the possibility of continuing the conversation in a dialectical manner, asking Balbus whether he "prefer[s] to answer my queries individually…or to hear out my whole discourse" (III.4). Balbus, however, suspects that Cotta's Socratic-sounding declaration of his own ignorance and desire to learn is insincere. Although Balbus claims to "prefer to respond" to questions in turn if Cotta "truly wishes" to hear explanations, he leaves the choice to his counterpart (III.4). Cotta decides to "proceed as the speech (*oratio*) leads us" and ultimately delivers an oration, rather than taking up Balbus' offer to respond to his questions point by point (III.5). Whereas Balbus' long speech is consistent with his admonition to Cotta that one should profess opinions that are "steady and certain" (II.2), Cotta's lack of interest in or refusal for the most part to hear Balbus' potential responses to his questions contradicts his own claim that he seeks above all clarity about what he does not understand (c. III.19).

At the same time as he reintroduces these doubts about Cotta's philosophic seriousness, Cicero also uses this interlude in the conversation to bring back to the fore the political import of the discussion. Cotta follows his insistence on his desire to learn from Balbus with a response to Balbus' disapproval of the cavalier attitude with which Cotta seems to approach the questions about the gods (II.168). To this objection Cotta claims to understand that "I am not just Cotta, but also a priest" and

> that I should defend the beliefs about the immortal gods which we have inherited from our ancestors … I shall indeed defend them, and I have always done so; no words from any person, whether learned or unlearned will ever budge me from the views which I have inherited from our ancestors. (III.5)

Cotta's response seems at first to best Balbus' own civic concern by repeatedly emphasizing the ancestral authority above all, and explicitly above the authority of "any eminent Stoic" (III.5). Whereas Balbus attacked the superstitions encouraged by

ancestral custom, Cotta says that he has "never regarded…our religion with contempt" (III.6). Cotta appeals first to Romulus and Numa, who, by their establishment of the auspices and religious ritual "laid the foundations of our state," and then to "the supreme benevolence of the immortal gods," without whose favor Rome would "never have achieved such greatness" (III.6). He thus seems to echo Cicero's claim in the introduction that devotion to providential gods is the necessary foundation of the success of a political community. But in the same breath that Cotta seems to offer a satisfactory reply to Balbus' objection, he begins to undermine his own declaration of piety and fidelity to his civic obligations. He adds, to Balbus, "since you are a philosopher, I must exact from you a rationale of religion, whereas I am to lend assent to our forebears even when no rationale is offered" (III.6). Piety and philosophy, according to Cotta, view the world through different lenses. Whereas piety takes as its guide divine and ancestral authority, philosophy, as Cicero also writes in the introduction, rejects authority of any kind (I.10, III.9-10). But Cicero indicates a problem with Cotta's claim to hold this position. Since Cotta has already established that no one can alter or move him from his belief, Balbus justly wonders how or in what way Cotta could "wish to be instructed by him" (III.7). Cotta responds that he approaches "this discussion as if I have never heard a word about the immortal gods, or given a thought to them" (III.7). But this reply should not satisfy us. Cotta seems here to suggest that he can maintain both the philosophic rejection of authority and the pious deference to authority in his soul at the same time. For himself he accepts the weight of ancestral authority, but when confronted by a purportedly rational account of the gods, he counters it on the basis of reason without any regard to that authority (III.10). But Cotta fails to explain why a truly pious person would wish to engage in such an activity, or what, as a political man, he would expect to gain from it. Indeed, the same ancestral authority Cotta claims to uphold would regard as

impious the ignorance about the gods from which Cotta claims to begin.[91] Since one who has never heard of the gods cannot have heard of the traditional religion, so far from confirming his reverence for the gods, Cotta's claim to speak as one who has never heard of them relieves him of the necessity to be mindful of the religious institutions that he, only moments before, claimed always to respect.

Cotta also fails, however, to give a reason why a person who is sincerely devoted not (or not only) to the religion of his political community but to the pursuit of knowledge would engage in the activity of conversing about the gods. Whereas Cicero claims that reflection about the nature of the gods is of paramount importance both to the statesman and to the philosopher, Cotta remains silent with respect to Balbus' desire to know why he wishes to learn from the conversation.[92] This silence belies Cotta's claims to be concerned with upholding the religion that he declares is the foundation of the regime. In Cotta, then, Cicero presents to the reader someone who seems at first to be very much like himself—an active political man, a well-reputed orator, a priest, and a student of Academic philosophy—but who, unlike Cicero, fails to reflect sufficiently on the dialogue's opening premise that it is necessary for political men to support piety for the sake of preserving justice in the regime, or on the overall purpose of the inquiry about the nature of the gods. By entrusting the critique of the theologies of the schools to Cotta, then, Cicero reflects on the possibility that piety might not be as politically necessary as he initially suggests. A crucial part of this reflection is the light that Cicero sheds on the effects of popular enlightenment by putting on display the influence of an

---

[91] Both Voegelin (2000, 159-160) and Wilhelmsen and Kendall (1968-69, 94-95) nevertheless take Cotta's professed commitment to the ancestral religion as straightforwardly sincere.

[92] Fott glosses over this difficulty by addressing only Balbus' subsequent question to Cotta about "*what* he wishes to be taught" (2012, 164 emphasis added; *DND* III.8). The question of *why* Cotta wishes to converse with Balbus would require Cotta to address the purpose or end of the questions he proceeds to ask in Book III.

education in skeptical philosophy undertaken with only a half-hearted seriousness on Cotta himself.

When Cotta begins his cross-examination of Balbus he immediately drops the posture of total ignorance about the gods. Against Balbus' claim that "when we raise our eyes to heaven, we at once realize that there is a divine power controlling the realm above," Cotta appeals to what he says is the common consensus to assert that no one "among us truly gives the name of Jove" to the heavens rather than to "Jove of the Capitol" (III.10,11; II.4, 95). When Cotta must ultimately concede to Balbus that human beings do often see evidence of the divine in nature, he quickly rejects common opinion as the standard by which such evidence should be judged. At stake, he claims, is "not whether some people think that gods exist, but whether they do exist or not" (III.16). Although he accuses Balbus, perhaps justly, of harboring some contempt for the "opinions of the foolish" (III.11), Cotta's own line of argument suggests that his own contempt surpasses that of his interlocutor. Whereas Balbus softens his critique of the religious tradition by veiling it in a critique of superstition (II.9, 70-72), Cotta openly attacks Balbus for lending credence to the tenets of the ancestral religion. He is astounded that Balbus claims truly to believe in "fables" (III.12). He further dismisses as "rumors" the stories that Balbus now reminds him are written "in the shrine in the forum" and honored in the Roman senate by public decrees (III.13). Balbus does not, however, say that he believes the authority of the inscriptions in the shrines or decrees of the senate, nor does he do more than state that Cotta should "see" them (III.13). Having been pressed by Cotta to admit the absurdity of the tradition, Balbus replies that Cotta "should be moved by authorities like these" (III.13). By picking out elements of the religion that are particularly public—that occur in the forum and in the Senate—and by pointing to Cotta's failure to see them, Balbus suggests that Cotta makes a political miscalculation in

showing such obvious disdain for the religion of his regime. But perhaps there is also a failure of understanding. Indeed, when Cotta dismisses the question of "whether some people think that gods exist" he rejects something central to their discussion. A short lacuna in the text cuts off the conclusion of this exchange but what remains suffices to emphasize Cotta's departure from the gentleness Balbus employs when treating what they both regard as the superstitions of the many.[93]

Given Cicero's critique of the apolitical character of Stoicism in *De Finibus* and the lack of any indication in *De Natura Deorum* that Balbus was himself involved in politics, it is surprising that it is Balbus who urges Cotta to be cautious when critiquing the tradition and to observe more keenly the way that piety manifests itself in political life. Cicero thus invites his reader to wonder about the source of Cotta's boldness, or, to put it another way, to ask why Cotta does not seem to hold with Balbus—and Cicero—that such careful attention to piety in politics is necessary.

Cicero begins to address this question in the text that immediately follows the lacuna at III.13. Here we find Cotta discussing Balbus' argument that the success of pious men and the ruin of the impious demonstrate a divine presence our lives (II.6-12). Cotta seizes on the story of the Decii, to whom Balbus had referred as those "certain commanders" who "devoted their own lives on behalf of the state" because "the impulse (*vis*) of religion was so strong" with them (II.10). The Decii were a family famous in Rome for the father and son who, in separate wars, sacrificed themselves to the gods by charging into the enemy in order to spur on their own armies when victory was uncertain (Rosenblitt 2011, 402). Cotta responds to Balbus' reference to the Decii by questioning

[93] Wilhelmsen and Kendall's view that Cotta's piety is sincere leads them to misconstrue the disagreement between the Academic and Stoic interlocutors: in spite of Balbus' deference here to the authority of the republic and his repeated exhortations to Cotta be more attentive to his civic obligations, Wilhelmsen and Kendall attribute to Balbus concern only for "a reason that pretends to by-pass the exigencies and demands of society" (1968-69, 96).

both his description of the events and the implications that he draws from it about the gods' presence in our lives. About the Decii, Cotta asserts that they were, in fact, only "employing a technique of generalship, which the Greeks call a 'strategy'" on account of which they "did not spare their lives for their country" since "the army would rally behind a general who spurred his horse and launched himself against the enemy" (III.15).[94] Cotta thus reduces the actions of the Decii to a calculation of what action would be most likely to induce their armies to regroup and defeat the enemy (Rosenblitt 2011, 422). To be sure, Cotta does not go so far as to say that the Decii acted out of a narrow consideration of self-interest, but he nevertheless presents their patriotic self-sacrifice as little more than the tactic of generalship that was required in that moment.

We can contrast Cotta's interpretation of the Decii's actions with the explanation of the same events that Cicero offers to Torquatus in *De Finibus*. According to Cicero, had the father's "action not been worthy of the praise it garnered, his son would not have imitated it…nor his son in turn…He too fell in battle, a third generation in succession to have made the supreme sacrifice for their country" (*DF* II.61). Cicero thus points to the decisive influence that the belief in the praiseworthiness of self-sacrifice had in leading each man to give up his life. But he also notes that each "knew he was to die at any moment, and he sought death" (*DF* II.61). This addition suggests that the Decii were not only willing to die, but, in some sense, wished it as well. Now, before Cotta discusses the Decii, he does acknowledge, with no small amount of condescension, that some believe that "the souls of outstanding men…are divine an eternal," but he does not consider whether such an opinion played a part in the Decii's self-sacrifices (III.12, 39). Instead,

[94] When Livy describes the episodes at 8.9.4-12 and 10.28.1-18 of his *History*, he puts great emphasis on the role that piety played in both the father's and the son's actions. Machiavelli also mentions the Decii in his *Discourses*, but, like Cotta, strips their actions of any pious concern and attributes to father and son instead "such reputation and so much example that good men desire to imitate them and the wicked are ashamed to hold to a life contrary to them" (1996, III.1.3).

he attacks Balbus' account by calling into question the justice of the gods to whom they offered themselves for the sake of the success of their armies. He asks, "how could gods have been so unjust that reconciliation with the Roman people could be attained only if such splendid men perished?" (III.15). Insofar as both the Stoic gods and the gods of Rome are said to be just, Cotta's question applies as much to the latter as it does to the former. But his own question, which recalls the difficulty that Balbus had in arguing for the concordance of divine justice and human justice, can nevertheless be addressed only by reflecting on the pious hope, which Cotta ignores in the case of the Decii, that the gods protect and reward the just. Perhaps Cotta ignores it in his own case too, for the question itself seems rooted in a disappointment in the failure of the gods' justice. He also does not examine any further the tensions in both the Stoic theology and the traditional religion to which his own observations point: the praiseworthiness of the Decii's actions seems to consist in the belief that they gave up something truly good for the sake of the regime and for the gods themselves; yet, on one hand, gods who require such a sacrifice and offer nothing in return seem unjust; and on the other hand, if we expect great rewards from the gods for our actions, we cannot truly think of those actions as sacrificial and they begin to appear, as a result, less praiseworthy.

Both Cicero's and Balbus' accounts suggest that Cotta misses something crucial by ignoring the strength of the Decii's piety. Cicero's account, however, both goes farther in helping us to understand their actions and reveals, more than Cotta is able, the problem at the heart of the account that Balbus gives. In the discussion with Torquatus, Cicero claims that the Decii "sought death with a more ardent zeal than Epicurus would have us seek pleasure" (*DF* II.61). Whereas Epicurus teaches that pleasure is the good for human beings, the Decii sought death for the sake of praise. But the claim that they did so with a "more ardent zeal" than Epicurus believes we ought to seek the good

suggests that Cicero wishes to call attention to the power of the desire that drove the Decii. Their eagerness for death cannot be adequately accounted for by Epicureanism's psychology. We cannot explain each man's sacrifice on the basis of a desire for pleasure because, as Cicero asks, "where and when would he enjoy it?" (II.61). Through the comparison with Epicurus, Cicero emphasizes that the Decii were seeking a good for themselves through their deaths. But on this basis the question that Cicero directs to the Epicurean applies just as much to praise as it does to pleasure. He thus encourages us to ask not only when and where the Decii could enjoy the praise they believed was their due, but also what might account for the eagerness with which the Decii gave up their lives. For if, as Cotta's account would have it, the Decii were moved to sacrifice themselves solely out of a patriotic concern for the survival of their armies, we can explain their actions, but not the zeal with which, according to Cicero, they acted. Cicero's account seems to suggest that their desire for praise was accompanied by, or rooted in, a hope that because of their great deeds they would somehow be able to enjoy that praise after death. Balbus, however, is silent about the possibility of an afterlife (Pangle 1998, 249n.53; *DND* II.153). Thus he also rejects the goods of fortune—"wealth, safety, concord, freedom, and victory"—and the objects of the passions as false goods that human beings worship superstitiously (II.61). But Balbus' claim that victory is among the things not to be counted as a true good for human beings makes his own praise of the Decii's actions unintelligible. Indeed, it requires us to believe that they committed suicide for a trifle.

Cicero's account also suggests that Balbus errs when he implicitly criticizes the belief that "men who conferred great benefits were translated to heaven through their fame and our gratitude" by associating that hope with "human life and custom" rather than wisdom (II.62). Balbus' account of true piety as the contemplation of the cosmos

seems to be rooted in the desire for human beings to shed to a large extent the old superstitions in favor of a theology that approaches reason more closely. But if it was this hope for some kind of life after death that directed the Decii as servants of the republic to act in a way that was simultaneously necessary for the good of the regime and fatal to themselves, then ultimately both Balbus' and Cotta's accounts of the Decii are deeply problematic. Balbus' own suggestion that "human life" encourages the belief in an afterlife suggests not only that human beings are powerfully, perhaps naturally, drawn to this belief, but also that it is particularly tied up with the motivations that lie behind the activities we tend to regard as noble and worthy of praise. Cotta, by neglecting these hopes or not taking them seriously, makes precisely the error that Cicero warns we ought to avoid if we seek to understand human nature and to guide the regime with respect to religion. And while Balbus' exhortations to Cotta to take his political responsibilities more seriously suggest that he shares something like Cicero's statesmanlike concerns, his confidence that the belief in an afterlife can be discarded suggests that, like Cotta, Balbus has not undertaken a serious investigation of piety's central role in cultivating civic virtue.

Cotta's belief that piety can or should be overthrown in favor of the rule of reason becomes a central theme of his speech. It begins to come to the surface in Cotta's critique of the Stoic defense of augury as evidence of divine concern for human beings. This critique is accompanied by an accusation against the Stoics for lying about the gods. Cotta seeks, he says, "to learn from philosophers, especially since *your* diviners lie about so many things" (III.15, emphasis added). Cotta now indicates that he seeks in philosophy the means to expose the lie that augury perpetrates.[95] The accusation also

[95] It is possible, however, to identify something as a lie only if one also has an opinion about what is true. Thus, Cotta's accusation against the diviners confirms again that he carries out his refutation neither in his capacity as a religious magistrate who defends his religion nor as one who knows nothing about the gods.

places Stoicism on the side of the diviners who lie, rather than the philosophers who can expose that lie. Cotta shows a particular frustration or anger with Stoicism for encouraging, rather than debunking, the belief in gods who take an active concern and participate in human affairs. He shows that what he wants from philosophy is an argument, not only against the existence of the gods, but also against those who, perhaps like Balbus, encourage public piety when, in Cotta's eyes, they should know better.

Cicero suggests, then, that Cotta is ambivalent about the goodness of philosophy. On one hand, he sees it as the means by which the existence of the gods can be refuted. But, on the other, he is also upset by philosophical teachings that refrain from decisively or publically demonstrating the incoherence of piety.[96] This ambivalence seems to obscure from Cotta the weaknesses of his own arguments. This is clearest when Cotta turns to consider the syllogisms the Stoics marshal in their defense. He first addresses the simple syllogism with which Balbus, following Zeno, claims to prove not only that the gods exist but also that they possess in perfect form all the excellences of human nature (II.21-22). According to Cotta, so far from proving that there is a rational divine power that rules the universe, Balbus has only revealed what he "wishes to assume," or wants to be true (III.21). Cotta rebuts Balbus' argument that the universe must be living and wise because it is better than human beings, who are themselves living and rational, by pointing to the absurdity of the syllogism. By this argument, he quips, it would be necessary to grant that the universe is literate, since "a thing which is literate is better than a thing which is not" (II.23). Cotta jokes that we must then also grant that the universe is "a mathematician, and a musician as well," but closes this line of argument

[96] Wilhelmsen and Kendall also recognize Cotta's ambivalence about philosophy, but they go too far when they claim that "Cotta is the assembly against Socrates" (1968-69, 96). As will be shown in what follows, Cotta is public-spirited, as they suggest, but does not share the Athenian jury's desire to protect the ancestral piety from philosophy.

with the assertion that, by Balbus' logic, "the universe will finally be a philosopher!" (III.23). In a way, Cotta hits the mark here exactly, for this seems to be precisely Balbus' intention. Balbus attempts to show that the pursuit of wisdom is best understood as reverential awe for the cosmos that is living, wise, beneficent, and deserving of rule. The universe therefore seems to possess the attributes of a philosopher. For human beings, Balbus believes, the pursuit of wisdom conducive to a truer kind of virtue and grounded on a loftier conception of the good than the traditional piety allowed. But in his reply Cotta also claims to demonstrate that "the universe is not god" and that "neither are the heavenly bodies" (II.23, 24-25). In truth, Cotta has only shown that the Stoics make a poor argument. Indeed, in this section Cicero shows Cotta committing the same error as his Stoic counterpart, drawing conclusions about what he wishes to be the case, rather than what he proves (Pangle 1998, 249).

Cotta then turns from Balbus' attribution of reason to the universe to the claim that it possesses virtue. Whereas Cicero's conversation with Cato shows us the errors and tensions at the heart of the Stoic claim that human beings are capable of a perfect, unchanging, and god-like happiness in spite of our mortality, Cotta brings out the difficulty in the Stoic attempt to assign human virtues to divine beings (II.79, 147). Cotta is here at his most thoughtful, returning briefly in his speech to consider opinions about the meaning of virtue and, in so doing, asking seriously whether Balbus' theology understands virtue as well as he believes (cf. III.16). Cotta begins by asking whether we "can conceive of any sort of god which is endowed with no virtue" (III.38). Cotta's question indicates that he means to address not only the Stoic conception of virtue and piety, but also virtue and piety as such. He grants to Balbus that belief in the divine goes hand in hand with belief in divine goodness or excellence and that piety will always contain the belief that gods are virtuous. But as Cotta shows, once we try to make sense

of what it means that the gods are virtuous, this opinion starts to unravel. There is a necessary tension at the core of the belief in divine virtue because the goodness or nobility of the virtues—the reason we call them moral excellences—is rooted in the imperfections of human nature. Thus, we praise the human being who possesses "prudence, which consists in the knowledge of good things, bad things, and things neither good nor bad," because through it, together with reason and intelligence, he is able to "advance from what is clear to what is obscure" (III.38). Prudence is a virtue, according to Cotta, because human beings are not born with clear knowledge of what is good and bad but must pursue it through effort and work. But, as Cotta points out, to attribute the virtue of prudence to the gods contradicts the same opinion that attributes to them perfection, because prudence is the instrument we use to clarify what is good for us, whereas "nothing can be hidden from god" (III.38).

So too, Cotta says, for temperance and courage, "which [consist] in forgoing pleasures of the body" and overcoming "pain or grief or danger" (III.38-39). These are regarded as virtues only because, as Balbus himself acknowledges, the vices they overcome exert such a powerful force over us (II.61-62). But when Cotta applies this thought to justice, he misconstrues Balbus' argument, which explains the justice which pertains to both human beings and the gods in two potentially different ways. In the first case, Balbus argues, though not without difficulty, that the gods govern themselves according to the same laws of right as we do (II.78-79, 154). Balbus also claims, however, that justice arises out of the pious observation and contemplation of the ordered universe, through which we discover that the best human life, or the perfectly just life, "is equivalent and analogous to that enjoyed by the gods" (II.153). In the first instance, justice originates in laws and consists obedience to them. In the second, justice is a perfect orderliness of the soul that is attained through the use of our unique capacity for

reason which "has penetrated the sky" (II.153). Balbus thus posits two sources of justice, one political and the other psychological or intellectual, each cultivating the virtue from different roots. But while his account as a whole seems to suggest that he views the latter, intellectual, root as more truly conducive to virtue, he nevertheless attempts to argue that the gods are just in both the political and the contemplative sense. In response to this claim, Cotta asks "what has justice, which distributes to each his own, to do with the gods? For the society and community of human beings created justice, as you say" (III.38). He thus incorrectly attributes to Balbus an argument about the origins of justice that leaves out the gods entirely. But Cotta's reply also indicates that he agrees with that argument. For Cotta, justice primarily means giving to each human being what he deserves. If, in addition, justice follows the pattern of prudence, temperance, and courage as he describes them in this passage, then justice, according to Cotta, is a virtue because human beings most often *do not* get what they deserve. This failure of justice is especially manifest, and perhaps most disappointing, in politics because, as Cotta suggests, the political community is where we look and hope most for the securing of what we are owed. It is for this reason, perhaps, that Cotta is now compelled to admit that "when I consider what is said by the Stoics, I cannot despise the stupidity of the vulgar and ignorant" who believe that great men "have been received as newly enrolled citizens in heaven" (III.39, see also III.12, 50). Seen in this light, the vulgar opinion seems to Cotta more understandable than the Stoics,' whose teaching he now sarcastically calls "remarkable" (III.39). The hope that human beings can become immortal on account of great deeds suggests a recognition, on some level, that too often good people fail to get what they deserve in this life. To Cotta, it seems, the Stoics' denial or unawareness of this disappointment is a frustrating sign of their naiveté, on account of which they are lead to multiply, rather than weaken, superstition (III.52).

Thus Cicero shows that Cotta is somewhat aware of the problematic character of the teaching about virtue in Balbus' account of the gods. But this awareness, Cicero also implies, comes less from serious inquiry than it does from dissatisfaction with the pervasiveness of injustice. For this reason, in spite of Cotta's concession that the opinions of the vulgar are, in a certain way, justified, he soon declares to Balbus that "it is necessary that we *speak against* those who, not from fact but opinion, say that these gods whom all worship with reverence and holiness have been carried over from the human race into heaven" (III.53, emphasis added). Cotta wishes to wage a public battle against those who propagate the opinion that just rewards are given to excellent human beings. He follows this declaration by describing the kinds of false opinions to which he refers:

> …the so-called theologians enumerate three Jupiters. They say that the first two were born in Acadia, that the father of the first was Aether, who sired also Proserpina and Liber, and that the father of the second was Caelus; this Jupiter is said to have begotten Minerva…The third…was Saturn's son from Crete… (III.53)

Indeed, the first opinion that Cotta wishes to expose as superstition is the belief in Jupiter as the king of the gods, the centerpiece of the official Roman religion. He offers a similar account of the Muses, Vulcan, Mercury, Apollo, Diana, Cupid, Dionysus, and Venus, among others (III.53-60). In each case he presents multiple stories of the origins and births of the gods, allowing their contradictions to sow doubt in the minds of his listeners. But he closes this enumeration with a surprising remark that seems at first to retract the boldness with which he has just spoken:

> these and other fables of the same kind have been gathered from ancient Greek traditions. You realize that we must rebut them, so that religion may not be disturbed. Yet your [school] does not merely refrain from rejecting them; they positively approve of them by interpreting the message derived from each. (III.60)

Cotta clothes his debunking in a conservative public-spirited concern for the native religion, but his own use of the Roman names of these gods belies his accusation that they are foreign intrusions. Yet, in this passage and in the sequel, he attacks the Stoics again for lending coherence to opinions which are manifestly incoherent (III.63; cf. II.63-65, 66-69). Cotta thus openly raises doubts about the coherence of the ancestral customs and, at the same time, criticizes the Stoics for making those customs appear to be more coherent than they actually are. He claims, moreover, that he wishes to "banish from philosophy entirely the error of making assertions in discussing the immortal gods that are unworthy" (III.64). But if we follow the example of Cotta's own speech, both the traditional stories about the gods and the attempts to rationalize them by the Stoics are to be rejected. To truly speak in a way worthy of the gods seems to be, then, to reveal that they are imaginary. Perhaps Cotta hopes that without the philosophic rationalizations of the ancient fables, their absurdity will be clearer for all to see. Not just the Stoics, then, but also all of philosophy errs, in Cotta's view, insofar as it encourages pious belief. Nevertheless, Cotta's public-spiritedness may be sincere. His wish to remove this error intimates a desire for philosophy to take a more active and public enlightening role, to free people of the misconceptions and superstitions of piety to a greater degree than even the rationalistic theologies of the schools undertake. But Cotta does not exempt the Academy, his own school, from this charge when he points to the error of philosophy. Perhaps he senses that the same thing that attracts him to the Academy—the tools it gives him to use in arguing against the beliefs of others—makes it an obstacle to his wish to see piety disposed of. When he now asserts that "I have in mind what I myself think about [the gods]," it is clear that he does not mean to express a pious obedience to the ancestral tradition, but a conviction of its falsehood (III.64). But the skeptical teaching of the

Academy denies him certainty in this conviction and therefore makes impossible a decisive conclusion in his favor.

But Cotta's desire to expose the incoherence of piety is not accompanied by the unambiguous confidence or hope that reason could rule in its place. A lacuna cuts off the conclusion of this section and Cotta's transition to addressing directly the belief in divine providence. When the text picks up again, however, we find Cotta contesting Balbus' claim that the human capacity for reason is evidence of divine beneficence. Cotta cites the examples of Medea and Atreus and bemoans the cold rationality both employed to plot monstrous murders and cannibalistic feasts (III.66-68). Against the claim that the cultivation of reason leads to justice, Cotta paints it as more often the instrument which makes injustice possible (III.71). He adds, moreover, that both our private and public lives are "studded with examples almost as outrageous" as the notorious crimes presented in tragic poetry: "right conduct is practiced rarely and by the few, whereas [wrong-doing] is constantly performed by many" (III.69). Cotta goes so far as to conclude that "it would have been better if the immortal gods had granted us no use of reason whatever," but he vacillates when he considers who is harmed the most by this so-called gift of the gods (III.69, 66). He begins with a democratic argument, which claims that reason's unequal distribution is fundamentally unfair, "harmful to the many and beneficial only to the few" (III.69). He allows for a distinction between using reason well and using it badly but denies that this distinction saves the view that reason is a benevolent gift from heaven (III.71, 75). From god, says Cotta, "we have only reason, if indeed we have it, but whether it is good or not good [comes] from us" (III.71). On this basis, he claims, the gods could not have given us a more dangerous or harmful gift had they tried, for reason is as much the source of vice as it is of virtue.

Cotta also laments, however, that even those who "use reason well…are often crushed by those who use it badly" (III.75). Seen in this light, reason is worse for the good, who become the unjust victims of people who use reason for vicious ends. Cicero thus shows that Cotta's ambivalence about philosophy and his disillusionment about the fulfillment of justice are intimately connected. In Cotta's eyes, the rational life not only fails to gain its just rewards but also seems to make men more vulnerable to suffering injustice. Why then should "we wish," as Cotta still maintains, "to be philosophers, authors of facts, not fables" (III.77)? Cotta never explicitly rejects the opinion that the pursuit of wisdom—or the prudence he earlier identifies as the virtue which distinguishes the good things from bad—is good for those who can live by it, but neither does he seem fully to accept it. Indeed, he now both praises and blames the Academic teaching in particular. He compares the Academy approvingly to a young man in the comedy *The Fellow Youths*, who "like the Academics does not hesitate to fight against common opinion with reason" (III.72). But Cotta also laments the youth's "ruses, contrivances, deceits, and tricks" which are possible only through the use of reason (III.73). Cotta thus makes us wonder whether he means to implicate the Academy with this accusation as well. Indeed, he shows in what follows that he is troubled by the possibility that the school deserves blame for causing injustice. When he turns to contemplate whether "philosophers harm those pupils who interpret badly their good teachings" (III.77), he revisits the democratic perspective from which he begins his reflection on the goodness of reason. But he immediately drops the thought that the teachings of the philosophers are "good," and describes them only as "disputations" (III.77). He concedes, in addition, that if philosophy can make people who misinterpret it vicious (*vitiosi)*, then "it would certainly be preferable for the philosophers to say nothing" (III.77). He compares the philosophers now to the gods who ought to have seen that "similarly, if men abuse the

reason" which they "bestowed with good intentions, and exploit it for deceit and malice, it would have been better for such reason to be withheld" (III.78).[97] Cotta's comparison suggests, then, that reason and philosophy are good only if they can be used well by most human beings. If the majority of men cannot be wise, then it is not good for anyone to be. He thus implies that just as the gods have harmed humanity as a whole if they are the source of reason, so too have the philosophers, insofar as they encourage its cultivation. In this way, Cotta is at odds with himself. He critiques philosophy both because of its lack of boldness in brushing away the superstitions about the gods and because it encourages injustice among the many who cannot reason well. At the same time, he is deeply disappointed by the injustices committed against the few good people who *can* reason well. Perhaps more than Balbus, he evidently wishes that reason carried with it a clear moral imperative (III.85), and, on this basis, wishes he could engage philosophy in the project of political enlightenment that would make the world more hospitable to good men. But having been confronted with evidence against that possibility, he turns to some extent against philosophy. This perhaps goes some way to explain Cotta's attraction to Academic skepticism, which acknowledges a limit in what human reason can prove, but nevertheless engages in refutations against all claims to certainty.

Cicero emphasizes Cotta's disappointment when the latter recalls that "all philosophers agree that if folly (*stultitia*) is a greater evil (*malus*) than all evils of fortune and of the body…but no one gains wisdom, then we are all in the depth of misfortune (*summis malis)*" (III.79). Cotta claims to accept the philosophers' view, but he believes that this proves only the benighted state of human affairs. He rejects the possibility of a distinction between the two claims "no one is wise" and "no one can be wise" and

[97] Cotta makes the claim that the gods ought to have refrained from bestowing reason on human beings four times (twice at III.68, and again at 75 and 78).

proceeds as though he has shown that no one can escape the state of foolishness (III.79; see also I.60). But the goodness of reason for human beings hinges on the possibility or impossibility of wisdom and Cotta has in no way proven that wisdom is impossible for individuals or that "no one can be wise." Indeed, against Cotta, Cicero suggests (though he does not claim to prove in this work) that in spite of the limits to human knowledge, wisdom, and with it, knowledge about how we ought to live, is indeed possible (I.12).

Cotta turns immediately from his rejection of the possibility of wisdom to an enumeration of the multitude of stories of virtuous men suffering and vicious men reaping rewards, which he presents as evidence against divine providence (III.79, 80-82). The transition is so abrupt, however, as to suggest that there is a connection between the two considerations. This is confirmed when Cotta soon offers Socrates' trial and execution by the Athenian jury as an example of the virtuous who suffer: "need I mention Socrates," he says, "whose death when I read Plato's account moves me to tears? So you surely see that the judgment of the gods, if they see the human things, has destroyed the distinction [between men]?" (III.82). The death of Socrates reaffirms to Cotta that the good do not get the rewards they deserve. It may also remind him of the tension that exists between philosophy and politics, which Cicero intimates in his introduction. Cotta's intense sadness bespeaks the disappointment of his hope that it could be otherwise. Perhaps Cotta is sincere, then, when he ultimately concludes his speech by saying to Balbus that he "wish[es] to be refuted" (III.95). Most importantly, Cotta's tears suggest that he does not understand or truly accept the philosophic claim that folly is the worst evil, for if he did, his sadness might be tempered by the recognition that Socrates led a good life in spite of suffering injustice.

As Cicero shows, then, Cotta harbors a disappointed hope that philosophy might enlighten political life and secure just rewards for those who deserve them. But that

disappointment, rather than suggesting to Cotta the undesirability of such an enlightenment, leads him to doubt the goodness of reason altogether. Through Cotta, Cicero shows us someone quite like himself who failed, however, to examine the bitterness about the absence of divine support for justice that seems to have led him to philosophy or his bitterness toward philosophy for being unable to remedy that defect. Cicero's introduction shows how he avoided this failure in his own case. He explains that he was moved to philosophic writing in part by a "dejection of the soul induced by the great and heavy blow inflicted by fortune" (I.9).[98] Whereas Cotta turns to Academic refutations to absolve himself of the need to learn or to subject his own opinions to critical scrutiny, Cicero claims that he sought consolation by attempting to "[grapple] with the whole of philosophy" (I.9). He presents *De Natura Deorum* and his understanding of the necessity of both theoretical and political prudence as one result of that attempt. In spite of his recognition of the difficulty of guiding one's life according to reason alone, Cicero does not accept, with Cotta, that wisdom is impossible for human beings (I.12). Because Cicero's depiction (brief though it is in *De Natura Deorum*) of the wisdom available to human beings does not hold out the promise of certitude or of invulnerability to injustice—for which both Balbus and Cotta seem to hope—he helps us avoid Cotta's disappointment if we come to see that this hope cannot be fulfilled (I.3-4). *De Natura Deorum* is a critical step, then, in Cicero's attempt to discover whether piety is the sole foundation of these virtues or whether they can be cultivated from some other

[98] Cicero does not, however, mention what caused his grief. In a letter to his friend Atticus, he describes his grief over the death of his daughter Tullia and his attempt to use writing as a consolation (*ATT* Vol 3, 251). Many of Cicero's readers take him therefore to refer to Tullia's death in *De Natura Deorum*, but, as Baraz notes, he may also refer here to the political turmoil then engulfing Rome, which also troubled him deeply (Baraz 2012, 86-87; Dyck 2003, 2 and White 1995, 223-225, both cited in Baraz 2012; see also Walsh 1997, 148n.9, Rackham 1933, 10n.a). That Cicero leaves the source of his grief ambiguous in the introduction suggests that he regards it, for the purpose of his argument, to be less crucial than the depiction of his response to it.

source. Cicero's approval of Balbus' speech at the end of the work seems to be the result especially of Balbus' concern for supporting civic virtue (III.94). But through his depiction of Cotta's critiques and the tensions in Balbus' speech, Cicero shows that even Balbus' Stoicism has not thought seriously enough about what this virtue requires. Indeed, he indicates that Balbus' account of the gods suffers from a lack of attention to the hope for an afterlife that surfaces in his own speech in spite of his claim that human happiness consists in virtue alone. Like Cotta's refutations, Balbus's Stoicism is unable to hold consistently to the central doctrine of its school. Both in order for it to perform a civic role and to better understand human nature, then, Stoicism requires an education in politics.

If we return to the beginning of the conversation portrayed in the dialogue, we see that Cicero offers a hint about his understanding of how we ought to proceed. Upon his arrival to Cotta's house, the young Cicero remarks that only the Peripatetic school seemed to lack a representative in their group (I.16). Cotta denies the need for a Peripatetic because the "Stoics are at one with Peripatetics in substance, and they differ merely in the terms they use" (I.16). Balbus' rejection of this claim and his insistence that the difference between the two schools "is no trivial one of words, but of the greatest things" anticipates the same disagreement that Cicero himself and Cato have years later in *De Finibus* (*DND* I.16-17, *DF* III.10-11). But here, conversation about this disagreement is put off in favor of the discussion about the gods (I.17). The ultimate failure of the discussion to address satisfactorily the problems set out in the work's introduction suggests that Cicero wishes to direct our attention back to the conversation about moral opinion that never took place between Balbus and Cotta. Cicero's own critique of the moral teaching of the schools in *De Finibus* and the doubts he raises about the possibility of a rational enlightenment in *De Natura Deorum* thus points us to his own

attempt to offer a better account of how virtue arises and how it can be cultivated not among the wise, but among the many, in *De Officiis* (*DO* III.14).

Chapter 4: Cicero's Political Science

If *De Finibus* and *De Natura Deorum* together contain the core of Cicero's critique of popular philosophy, *De Officiis* is its culmination, in which Cicero presents a moral and civic teaching in his own name. Having evaluated the misunderstanding of human nature reflected, on one hand, in the schools' teachings about human happiness, and, on the other, in their hopes for rational political enlightenment, Cicero turns in *De Officiis* to show how a more truly adequate political science might address on a popular scale both the very great excellence of which human beings are at times capable and the much lower level on which individuals and political communities more often operate. It is perhaps strange, then, that having offered his critiques of the schools, Cicero chooses to present this account by taking up the Stoic moral teaching. Nicgorski attempts to resolve this dilemma by arguing that "insofar as [Cicero] is attracted to Stoicism, it is the less formalized stoicism of Roman public men and heroes of the past…a Stoicism moderated by a commitment to active public service" (1984, 569). According to Nicgorski, then, Cicero turns to Stoicism because the Roman Stoics maintained a connection to the healthy moral outlook of a serious statesman even though the Stoicism they professed claims to rise above what it sees as the morally compromised world of political life. But, with the notable exception of Cato the younger, the majority of "the public men and heroes of the past" to whom *De Officiis* often directs our attention were not themselves Stoics (or allied with any other of the philosophical schools).[99] Indeed, Cicero's dialogues show that the connection between the school and the virtues of public

[99] See, for example, Cicero's emphatic praise of Aratus of Sicyon, "a wise and outstanding man" who "thought that he should consult the common good…and…showed the wisdom and highest reasonableness that befits a good citizen" (II.83). All citations are to *De Officiis* (1991) unless otherwise noted. Translations have been modified on occasion.

life is maintained unwittingly, not as a deliberate Stoic teaching but in spite of the Stoic teaching. In *De Finibus,* Cicero suggests that the prevalence of philosophical schools that claim to transcend the messiness of every day life with systems of thought that promise perfect happiness both threaten to weaken the desire to participate in public life and badly misunderstand human nature. Although in *De Natura Deorum* he rejects the enlightening projects of the theologies of the schools, Cicero also raises the possibility of harnessing the wide appeal of popular philosophy in order to shore up morality in the absence of a strong civil religion. By choosing to present his teaching as a reformulation and correction of Stoicism in light of the practical political considerations of a good statesman (I.6-7)—rather than by discarding popular philosophy altogether—Cicero attempts to rectify the defects of Stoicism in order to make beneficial use of its wide appeal.[100]

As this chapter will attempt to show, *De Officiis* accords with Cicero's critique of Stoicism and popular philosophy in *De Finibus* and *De Natura Deorum*, more than with Stoicism itself. The reformulation of the Stoic teaching consists first in the argument that the aim of virtue is not a god-like wisdom, but the solidification of fellowship among citizens and their concern for the common good. To this end, Cicero maintains Stoicism's cosmopolitanism, but redirects it to a teaching about virtue that buttresses particular political regimes. His most crucial revision, however, is found in his argument that the source of the virtue that bonds citizens to one another is less reason than an

[100] Cicero also playfully makes clear the importance of the two earlier works in an imagined dialogue between the Stoic thinkers Diogenes and Antipater about the requirements of virtue in commerce. Antipater, who argues that in all transactions one must always " be considering the interests of men and serving human society," accuses Diogenes, of "conceal[ing] from men the advantages and resources that are available to them" by granting that a seller may, to the extent that the law allows, withhold information about his goods (III.52). To this Diogenes replies: "I am not at the present moment concealing from you the nature of the gods or the end of good things;…yet to learn that would benefit you far more than to learn the cheap price of wheat" (III.52).

education in shame and self-restraint that shapes our judgments about good and bad according to how we are seen by others. The teaching about virtue, he shows, is necessary not in order to cultivate reason, but to act as a corrective for the deficiencies of reason's power in political things. But *De Officiis* does not stop at the presentation of a popular education in civic virtue. Cicero also offers a serious theoretical teaching that quietly takes as its basis the account of the limits of human knowledge presented in *De Natura Deorum*. In so doing, Cicero attempts to correct the misconception about the character of human wisdom that Stoicism encourages. As Kries puts it, the teaching of *De Officiis* "should be understood…even as anti-Stoicism" (2003, 392).[101] In order to show the double education presented *De Officiis*, it will be helpful to examine the foundation of Cicero's account of honorableness in Book I. For it is here that Cicero clarifies why the civic teaching in virtue is both necessary as an instrument to address the problems posed by the weakness of reason in political life and truly beneficial for citizens who live in regimes that cultivate it.

THE STRUCTURE OF DE OFFICIIS

Cicero's turn to the popular part of his project is emphasized by his presentation of *De Officiis* not as a dialogue, but as a letter to his son (I.1, II.8, III.5-6). It has as its

---

[101] Kries similarly finds that "Cicero's intention in *De Officiis*…is that he wants to communicate two different messages to two different readerships." (2003, 387). He argues, however, that Cicero's "subtle message…to the more philosophically sophisticated readers" is "a morality that seems more adequate to himself…which, while holding moral virtue to be the highest good for man, recognizes the exigencies of political life that render man a problem or tension to himself" (2003, 393). On this view, the subtle teaching of *De Officiis* is the explicit teaching of *De Finibus*. According to Kries, Cicero in *De Officiis* buries the teaching of *De Finibus* under a Stoic veneer in order to show that "the young who are unphilosophical…should not learn of the ineptitude of the Porch, or at least they should learn of it only in a circumspect manner" (2003, 391). But Kries' view that Cicero thought it necessary to hide the critique of Stoicism as such is belied, for example, by the openness with which Cicero criticizes Stoicism in *De Finibus* in spite of the concern for the education of the young that he professes in conversation with Cato (*DF* III.8-9). As will be argued below, *De Officiis* begins from the critique in *De Finibus*, but also extends and deepens it.

purpose not the explicit interrogation of views of the schools, but the exhortation and advice that a father offers to a child who is expected to take up a life of public service (III.103).[102] A letter is, nevertheless, a kind of conversation, or at least a partial one. It is a substitute in writing for a conversation that cannot take place in person. *De Officiis* occupies, then, something of a middle ground between a dialogue and a treatise. The dramatic structure of *De Officiis* allows Cicero to supply an imagined interlocutor, or set of interlocutors, in place of his absent son. These interlocutors, Cicero suggests throughout the work, are not philosophers or wise men, but rather ordinary people and their opinions about what is good for us as human beings and what virtue requires (for the clearest indication of this, see III.15-16). By turning the Stoics back to a sustained dialogue with common opinion Cicero therefore does for Stoicism in *De Officiis* what he claims Socrates did for philosophy as a whole. Like Socrates, Cicero sets Stoicism "in the cities and bring[s] her also into homes and compel[s] her to ask questions about life and morality and the good and bad things" (*TD* V.4; c. *DO* I.2; Nicgorski 1984, 570).

Cicero's selection of his son and, by extension, the future political men and statesmen of Rome, as his direct addressee nevertheless shows that *De Officiis* is first and foremost an exposition of a political education. In keeping with this, Cicero reminds Marcus, who is currently receiving philosophical instruction in Athens, that he expects him to take to heart "the great authority of both teacher and city" rather than undertake the kind of rational investigation which recognizes the influence of authority as an obstacle (I.2; cf. *DND* I.10). Cicero expects the instruction by Cratippus, "the leading philosopher of our present generation," to complement the education provided by the

[102] In an attempt to defend the seriousness of the work against the view that it is no *more* than a letter, Hunt takes the extreme view that the structure and dedication of *De Officiis* have no bearing on the arguments contained within it (1954, 186-187). The marked difference between the form of *De Officiis* and the presentation of the majority of Cicero's other theoretical works as dialogues suffices, however, to suggest that Cicero's intention in *De Officiis* is in some way different from them.

study of the "examples" found in the political history of Athens (I.2, I.1). Moreover, Cicero claims to write to his son in his capacity as an additional authority, not only as the father, but also as a master of the political oratory that has its home in the forum, speaking to crowds in courts and assemblies, and as a great statesman (I.2-4). Thus, whereas he claims in *De Natura Deorum* never to have ceased philosophizing since his youth, Cicero begins *De Officiis* by deprecating the significance of his own philosophic activity: "many others surpass my knowledge of philosophy; and if, when I have devoted the best part of my life to oratory, I then claim for myself what is proper to an orator, I seem to claim it justly" (I.2). But he soon retreats somewhat from this claim, and distinguishes his own combination of philosophic study and political practice from the great philosophers and orators of the past—Plato and Aristotle, on one hand, and Demosthenes and Isocrates, on the other—who all appear to have shunned the alternative life because each "so enjoyed his own pursuit" (I.4). And although he writes that "there is no doubt that I have pursued them both," Cicero does not say that he himself derived pleasure from either, nor does he offer another explanation for why he combined them in his own life (I.3).[103] Cicero thus presents himself at the beginning of *De Officiis* as a model statesman by which his son and those like him might measure themselves, but leaves the extent and purpose of his own philosophizing ambiguous. Whereas the interlocutors in *De Natura Deorum* explicitly accept the primacy of the philosophical life (*DND* I.23, 2.140, 3.78), Cicero begins his letter to young Marcus by elevating the political life and presenting the education in philosophy as the best lesson in a "calm and temperate style" through which his son might polish his oratorical skills (I.3).

[103] Cicero does, however, allude to the pleasure of philosophizing in *De Finibus* (*DF* I.2-3).

Cicero's presentation of this political education is however, complicated by the civil strife and upheaval in Roman politics during his own lifetime. Cicero does not refrain from calling our attention repeatedly to the inescapable fact that Rome, as a republic, is dead. He laments that "if I had been followed…we would still have some republican government (if perhaps not the very best) whereas now we have *none*" (I.35, emphasis added; see also I.57, II.2-3, 29). According to Kries, these and other references to contemporary political events throughout the work are meant to emphasize that "the intended audience of *De Officiis* is primarily the young republican aristocrats" that Cicero's son represents (2003, 379-80).[104] This seems true, as far as it goes. But Cicero's explanation of the political circumstances in which he writes also highlights a problem with what appears at first to be *De Officiis*' otherwise straightforward political purpose. If the republic is dead, Cicero's attempt to teach republican virtue to future republican statesmen seems rather futile or, at best, nostalgic.[105] Perhaps, however, it is desirable even in a corrupt and defective city to salvage the lingering remnants of healthy civic life wherever possible. To this end, Cicero indicates that part of his purpose in writing is to show what virtue and the common good require in a regime that does not support virtue itself (II.22).

Cicero also indicates, however, that this is not his only intention. He argues that all philosophers who deserve the name concern themselves with the question of the meaning and substance of duties (I.4-5). The reason for this, he suggests, is that "no part of life, neither public affairs nor private,…neither when acting on your own nor in

[104] Long takes a similar view of the relation of Cicero's references to Roman politics and his addressee (2006, 308).

[105] Thus Finley follows Mommsen in the view that "whatever genuinely philosophical meaning [Stoic] terms may have had for the Stoics themselves, Cicero turned them into mere rhetoric" to recommend "the Roman constitution of the god old days" (1983, 128) and Mommsen (1908), cited by Finley.

dealings with another, can be free from duty" (I.4). Questions about duty must be addressed in order to discern how we ought to live. Moreover, simple observation of everyday life shows that the normal tendency of human beings is to care about the fulfillment of duty rather than to dismiss it. According to Cicero, it is difficult to live consistently according to the view that "defines the highest good in such a way that it has no connection with virtue" (I.5). One who purports to accept that view is more likely to be "occasionally overcome by the goodness of his own nature" than he is to be "in agreement with himself" (I.5). Because the potential conflict between words and deeds is most likely to manifest itself in "friendship or justice or liberality" (I.5), Cicero points to the need to examine the virtues especially insofar as they inform our relationships with other human beings; he points to the necessity of studying political life. For this reason, Cicero's political advice—the teaching he presents about how a citizen and statesman of a republic ought to make judgments and act—also serves a second purpose. By showing us how the good citizen of a good republic lives, Cicero preserves in writing the way of life that most reflects and cultivates what he suggests is a natural concern for virtue in its most beneficial form. He thus helps his reader to understand and reflect on such a life, even if we never live in circumstances that make that life possible.

Cicero's explanation of his intentions in *De Officiis* also suggests that he has learned, as it were, from Balbus' exhortation to Cotta in *De Natura Deorum*, that he ought to take better account of his civic responsibility when making refutations. Just as Balbus urges Cotta to profess "steady and certain" opinions as the Stoics do, Cicero now writes that "[no] advice on duty that is steady, stable, and joined to nature [can] be handed down except by those who believe that what it sought for its own sake is honorableness alone (as some say) or honorableness above all (as others say)" (*DND* II.2, *DO* I.6). He concludes on this basis that the "Stoics, Academics, and Peripatetics" are

the authorities to which one ought to turn on the subject of duty and that he will, therefore, "follow the Stoics above all" (*DO* I.6). Yet Cicero's choice of the Stoics over the Peripatetics is surprising. Indeed, he gives no reason for it. He has, moreover, associated his own writings with both the Peripatetics and Plato and Socrates in an earlier passage (I.2).[106] He notes that there is disagreement among the authorities on virtue about whether the honorable ought to be sought exclusively or first among a number of goods. But he neglects to mention that this disagreement forms the core of his dispute with Cato, shown in *De Finibus*, about the gulf between the Stoics and the Peripatetics with respect to their understanding of the good. In conversation with Cato, Cicero had argued that the Stoic view of virtue as the only good not only mistakenly rejects the goodness of objects that human beings naturally associate with their happiness but also obscures the fact that this rejection is founded on a hope for perfect self-sufficiency that is not possible for human beings. This mistake, Cicero now implies, is of little import with respect to the practical advice he will expound (cf. *DF* III.11). When in the immediate sequel Cicero notes that he will make use of the Stoic teaching through the work of Panaetius, however, he implicitly reintroduces the question he seems so quickly to brush aside (I.7, 8-10). At the close of his conversation with Cato in *De Finibus*, Cicero praises Panaetius, for among the Stoics his "doctrines were gentler, and his style more lucid…Plato and Aristotle were always on his lips; Xenocrates, Theophrastus and Dicaearchus too" (*DF* IV.79). By filtering his discussion of Stoicism through the teaching of Panaetius, then, Cicero addresses in *De Finibus* a version of Stoicism that is

[106] See Degraff 1940 for a catalogue of references to the Platonic corpus in Cicero's writings.

already friendly to the thought of Plato and Aristotle and therefore quietly paves the way for the transformation of Stoicism that Cicero undertakes in *De Officiis*.[107]

THE DEFINITION OF MIDDLE DUTIES AS A CLASS

Cicero underscores the freedom with which he will make use of the Stoic teaching when he adds that he "follows the Stoics" insofar as their teaching is consistent with or helpful for the illumination of the education he wishes to present, "drawing from their fountains when and as it seems best, using my own judgment and discretion" (I.6). Having made clear this intention, Cicero turns to begin his investigation: "since the whole discussion is going to be about duty, I propose first to define what duty is" (I.7). But Cicero qualifies even further his claim to "follow the Stoics above all" when his first step in this discussion is to note that he must correct two critical errors made in Panaetius' writings. It is necessary, Cicero argues, to begin the inquiry about duty by defining it, "for every piece of rational instruction upon any matter ought to begin with a definition, so that everyone understands what the subject of discussion is" (I.7). He reveals, however, that "Panaetius omitted to do this" (I.7). Thus the first lesson that Cicero gives about the Stoic authority—whom he praises in *De Finibus* for his superiority to the other Stoic writers—is that his treatment of duty fails to truly teach its readers. Because Panaetius never attempts to define duty, he cannot know what he is talking about even as he claims to instruct. He allows neither himself nor his reader to gain clarity about what duty is or what it requires.

Cicero remedies Panaetius' first mistake by offering his own definition. He first describes the kinds of questions that relate to duty and divides them into two categories. Cicero places in the first category "the kind of question that relates to the end of good

[107] Panaetius's work, however, is no longer extant, making impossible attempts to ascertain the Stoic's own teaching or distinguish between Cicero's and Panaetius' claims.

things" and offers two examples to illustrate his meaning: "are all duties 'perfect'? Is one duty more important than another?" (I.7). Questions of this kind appear, then, to be the sort of theoretical inquiry into what is good for human beings that Cicero attempts in *De Finibus*. In the second category Cicero places "advice by which one ought to be fortified for all areas of life" (I.7). He notes that this advice comes to sight as "instructions for common life" and that "it is these that I must expound in these books (I.7, c. III.5). *De Officiis*, Cicero seems to suggest, will treat only that part of duty concerned with what is "common," or with our ordinary experiences of life as it is shared with other human beings. But Cicero's declaration that he will discuss only this latter part of duty obscures the fact that he has not yet made it clear exactly how the two parts differ. Indeed, he gives no examples to illustrate the second category of questions, and further blurs the distinction by adding that "the duties for which advice has been offered do indeed relate to the ends of good things, but here it is less obvious" (I.7). It seems, then, that the two categories, the theoretical and the practical, differ primarily in how dimly or clearly they approach the same concerns. Seen in this light, Cicero's silence about the questions asked with respect to the second category intimates the distinction he seems to have in mind. Whereas the first kind of investigation asks questions and thus seeks clarity about duty, the second kind offers advice or precepts, perhaps rules, that one ought to follow. By stating that he will address that part of the investigation about duty concerned with the precepts rather than the questions, Cicero seems to indicate that *De Officiis* sets out only a practical teaching that will approach the theoretical questions insofar as they are necessary for guidance about active political life.

But this is not Cicero's last word. He turns next to "another division…concerning duty" and proceeds to set down the definition that was missing in Panaetius' text (I.8). A duty, he writes, "is said to be either 'middle' or 'perfect'… Perfect duty we may, I think,

call 'right,' as the Greeks call 'κατορθωμα;' while the common duty they call 'καθηκον,'" which "they say is that for which a probable (*probabilis*) reason can be given about why it was done" (I.8). While Cicero cannot be accused of making the same error as Panaetius, we may nevertheless note that the definition he supplies is ambiguous. He does not make clear whether the distinction he attributes to "the Greeks" between middle and perfect duties corresponds with the distinction he draws in his own name in the preceding passage. Indeed, although he seems at first to give the impression that the divisions are parallel, there are a number of indications that the correspondence is not as neat as it appears.[108] To begin with, Cicero's description of this definition is quite hesitant and qualified. Not only does he put the definition in the mouth of "the Greeks," but he also refrains from identifying which of the Greeks define duty in this way. Moreover, he speaks only of what can be said about duty, or what we may call it, rather than what it is.[109] He offers also only a qualified judgment about even what is said, for he adds that he "thinks" (*opinor*) that duty can be described as the Greeks describe it. Cicero thus presents his reader with a definition of unknown origin, of whose accuracy, it seems, he is not altogether certain.

Cicero does, however, make one explicit connection between the two sets of divisions. In his own name, he writes that the precepts about duty are concerned with "common life," and, when describing the definition set down by the Greeks, he notes that "the common duty they call καθηκον" (I.7, 8). Thus both Cicero and the Greeks divide the subject of duty into one set of high and one set of low considerations. The division

---

[108] Dyck notes that certain editors of and commentators on the manuscripts of *De Officiis* have taken the presentation of the two divisions of duty in I.7-8 as so muddled as to propose to "cut the Gordian knot by athetizing" I.8 (1996, 78-79).

[109] In the three sentences that make up I.8, Cicero uses a form of either *dicere* or *vocare* ('to say' and 'to call,' respectively) four times. He also twice writes of the act of defining (***definire***), but he never includes himself in the activity: in both instances the verb is in the third person plural.

made by the Greeks suggests that they and Cicero agree at least provisionally that the lower set concerns duties that are common, that require neither extraordinary talents nor extraordinary circumstances. With respect to the higher class of duties, however, Cicero and the Greeks seem to diverge. While Cicero speaks of *questions* about duty, the Greeks assert only that perfect duties are "what is right" (I.8). Whereas Cicero gives the higher rank to the clarity gained by asking what duties are, the Greeks seem to give primacy to the certainty about the perfection of right or justice.

But the nature and extent of Cicero's agreement with the Greeks remains opaque even with respect to the lower order of duties, for Cicero does not clarify what the Greeks mean when they say that these are the duties for which "a probable reason can be given" (I.8). On one hand, the definition closely resembles the distinction drawn by Cato between middle and perfect duties in *De Finibus* (*DF* III.58-59). On the other, the reference to justification by "a probable reason" recalls Cicero's defense in his own name of Academic skepticism in *De Natura Deorum*. And yet, in *both* works, the speaker makes a claim about what is probable. According to Cato,

> although we say that what is honorable is the only good, it is still consistent to perform duties, despite the fact that we regard duty as neither good nor bad. For there is something probable in this area, such that a reason can be returned for it…Hence one can see that a duty is something intermediate (*medium*). (*DF* III.58)

Whereas for Cicero, the common or middle duties "relate to the end of good things" (*DO* I.7), Cato makes the surprising claim that this class is morally neutral. If, with Cato and the Stoics, we accept that virtue is the only good for human beings, then action taken for the sake of any goal other than virtue cannot be called good. Certain actions are nevertheless appropriate when they accord with the requirements of virtue, even if they are not undertaken for the sake of virtue. For Cato, then, "if returning a deposit justly is a

right action, returning a deposit is regarded as a duty; the addition of 'justly' makes it right (*DF* III.59). According to the Stoics, as Cicero shows in *De Finibus*, perfect wisdom is the precondition of virtue. The wise man's virtue is both perfectly noble, for it "makes light of all human vicissitudes and regards them as insignificant," and perfectly good, for "nothing bad can befall the wise" for whom "what is moral is the only good" (*DF* III.29). Therefore only the sage, "whose judgment is never mistaken" can discern what justice requires (*DF* III.59). Moreover, virtuous action is possible only for the wise man because he alone understands that the good for human beings is unattached to personal benefit or external circumstance. Because the unwise are unable to grasp this, even their claims and desires to act honorably are mixed with concern for the things the wise man knows to be insignificant. According to Cato, the account that the unwise give of their actions can be no more than probable because they lack the certainty in the goodness of virtue that would lead them to pursue it alone.

Cato thus attributes far less dignity to the middle duties than does Cicero, who presents them from the outset in *De Officiis* as the fitting theme of a good moral education. And while Cato presents wisdom as certain knowledge of virtue's goodness and the probable as the sphere of the unwise, Cicero claims in *De Natura Deorum* that wisdom consists especially in the understanding that human knowledge at its fullest is limited to what is probable (*DND* I.12). When Cato speaks of giving a probable reason, he refers to the level at which most human beings are able to live and justify their actions, insofar as they fall short of wisdom. Against this view, Cicero speaks of the probable as the upper limit of our capacity for knowledge. If, as Cicero suggests in *De Natura Deorum*, the probable is all that is available to human beings, then the wise man's skepticism with respect to virtue seems to consist especially in the uncertainty of the possibility of setting aside all concern for one's own benefit, as Cato requires. But

Cicero also admits that only the wise can guide their lives by the light of the probable, while in order to live well the unwise require the opinion that certainty—the perfect grasp of virtue that is noble and good—is possible. By leaving the meaning of "the probable" ambiguous at the beginning of *De Officiis*, then, Cicero encourages his reader to keep both the Stoic and the skeptical alternatives in mind without undermining the civic virtue that *De Officiis* professes to teach.

It is not surprising, then, that although Cicero states that this work will not pursue the higher theoretical questions about duty, these same questions quietly return when he addresses the second of Panaetius' errors. Panaetius, according to Cicero, divides the discussion of duty into three parts: deliberation about what is honorable, deliberation about what is useful, and deliberation about how to act when what is honorable seems to conflict with what is useful (I.9). But, says Cicero, "although it is a very great fault to omit anything when categorizing, this division leaves out two things: for one often deliberates…also [about] which of two proposed courses that are honorable is the more honorable, or of two that are beneficial the more beneficial" (I.10). On this basis, he proposes to consider in addition these two questions, dividing his own writing into five parts as opposed to Panaetius' three. But in doing so, Cicero reintroduces the very questions he claims earlier to set aside, speaking now of deliberation between two honorable courses in spite of the fact that he initially places the question of whether "one duty [is] more important than another" among the higher class of things this work will not address (I.7). Cicero therefore seems quietly to suggest that *De Officiis* is more theoretically serious than he initially lets on.

OUR RATIONAL NATURE

Cicero derives his account of the duties we ought to pursue from a brief depiction of human nature that moves from what we share with other animals to what is distinctively human. Animals and human beings alike feel not only a desire to preserve themselves and procure "the necessities of life, such as nourishment, shelter, and so on," but also maintain "a certain concern" for our offspring (I.11). What distinguishes a human being from the other animals, Cicero writes, is that he "is a sharer in reason" (I.11). Whereas an animal is limited by its senses to an awareness only of the immediate present, with the aid of reason a human being "perceives consequences, sees the causes of things, is not ignorant of their precursors and their antecedents, so to speak, compares similarities, and joins and combines the future with present events" (I.11). This ability to form conceptions about causal relations, classify similar objects, and reflect on the future shapes our nature in three decisive ways, described by Cicero in ascending order of rank. At the first, most basic, level, reason allows us "to see with ease the whole course of life" so that we are able "to prepare whatever is necessary for living it" (I.11). Reason is a tool we use for the sake of a non-rational goal, for we share with all other animals the desire to acquire the things necessary for living. With respect to this desire, we differ from the animals only insofar as our foresight allows us to achieve its fulfillment more easily.

At the second level, reason serves a social and political end. Through the "power of reason," nature "unites one man to another for the society (*societatem*) both of speech and of life, and it creates above all a certain particular love for his offspring" (I.12). According to this account, the associations made possible by reason strengthen and transform for human beings the care that all animals have for their offspring into a love. Cicero, however, offers no explanation of the nature of the connection between human reason and love; he only asserts that such a connection exists. Reason's most powerful

social influence, however, is in its compulsion to form associations beyond the family: it "impels [man] to wish that men should meet together and congregate and that he should join them himself" (I.12). Reason thus conceived compels us toward the fellowship found in the exercise of speech and formed in the company of citizens in assembly and friends in conversation. It acknowledges, in addition, that life and all the things necessary for it are not attainable except with the help of others. In this way, reason points us by nature toward participation in political communities. Cicero adds, moreover, that "for the same reason" man is driven "to devote himself to providing whatever may contribute to the comfort and sustenance not only of himself, but also of his wife, his children, and others whom he holds dear and ought to protect" (I.12). Even in its political aspect, then, reason serves ends which we share to a degree with other animals, for the goal we seek is nothing more than comfortable self-preservation. Nature teaches us, on this view, that it is rational to provide these necessities not only for ourselves, but also for those whom we love. But Cicero has introduced two new groups to the set of people for whom we seek this goal: neither wives nor those whom a man "ought to protect" are included among the people for whom reason inspires a natural care. He thus prompts us to ask what the source is of the feeling of love and obligation to these others. He states that reason leads us to wish to fulfill the obligations we feel, but he does not attribute to reason the thought or consideration—which necessarily precedes that wish—that forms the obligations in the first place. This puzzle emphasizes the strange character of Cicero's preliminary account of reason's place in human nature up to this point. As it first comes to sight in our most basic relationships, the role of reason is hazy and ill defined. And while he makes clear that our ability to reason makes political society possible, Cicero begins his presentation of reason's place within the political order in a strikingly modest way. Reason, he suggests, naturally plays a role in the formation of

familial affections and the bonds between citizens. But the pieces that are missing from this account suggest also that this role is only partial, and that our attachments to the family and to our fellows depend as much on other unidentified forces that move the soul as much if not more than on reason.

For this reason, the splendid tone that Cicero takes when he turns to discuss the third and highest role that reason plays in our nature is all the more notable. He now writes that not only are "the search for truth and its investigation…above all, peculiar to man," but also that we believe that "the discovery of obscure or admirable things is necessary for a blessed life (I.13). Human nature is most distinguished from that of other animals by the desire and ability to search for and discover truth. This desire is the only activity that Cicero so far explicitly links to the attainment of happiness. That he mentions this connection now only makes more glaring the fact that he does not similarly associate with our happiness either the desire to associate with others or the fellowship and communities that grow out of it (see also II.73, but cf. I.158). Seen in the splendid light of the investigation of "obscure or admirable things," those relationships are reduced to "necessary business and other concerns" (I.13). For while we "wish (*velit*) that men should meet together," we have a more powerful "longing (*cupiditati*) for seeing the truth" (I.12, 13). But if the activity of contemplation is, in fact, "above all" necessary for our happiness and what makes us unique among the animals, it is strange that we should engage in it only "when we are free" from business (I.13). There is a tension, to which Cicero quietly alludes, between the activity that leads to our truest happiness and the concerns that lead to and arise out of our familial and political associations. It is only through inquiry, he maintains, that we can understand what "is most fitted to the nature of man" (I.13). Philosophical activity is therefore both higher in its own right and essential

for the correct conduct of practical life. Yet it remains, Cicero insists, separate from and subordinate to "necessary business."

It is only after Cicero intimates the tension between life's necessary business and the activity conducive to human happiness that he begins to address what moves the human soul in addition to our capacity for reason. Reason, he now claims, is not the only thing that distinguishes us from other animals. We alone sense "what order there is, what is proper, and what measure to words and deeds" and "therefore…the beauty, the loveliness, and the congruence of the parts of all the things that sight perceives" (I.14). Because reason allows us to make comparisons and to classify similar things, we are able, unlike the other animals, to perceive order. But in our perceptions of beauty, propriety, and order reason plays only a "not insignificant" role, which is to say, it is subordinate or secondary to something else (I.14). Indeed, this concern for beauty, propriety, and order points to a desire to pursue what is noble. In addition to (but separately from) reason, this desire powerfully shapes our judgments and opinions, for we think "that beauty, constancy, and order should be preserved" (I.14). The human capacity to reason and our desire for the noble together, Cicero explains, form the foundation of what we call honorable.

But when he finally makes a clear reference to the desire for nobility, it is only to introduce an additional problem. Virtue, even the ordinary virtues of civic life that make up "the honorableness that we seek," is not always recognized for what it is (I.14). But "even if it is not accorded acclaim (*nobilitatem*), it is still honorable, and, as we truly claim, even if it is praised by no one, it is by nature worthy of praise" (I.14). As Cicero later explains, most people lack the circumstances that allow both for the education that cultivates virtue and for the fulfillment of the obligations to which that virtue points (I.46, 117-118, 150-151). We cannot expect, then, that virtuous people will always receive the

praise they deserve. This is perhaps most problematic, however, for the potential statesman who wishes to guide citizens in a free republic according to virtue, the good of which they will not always understand (II.20). Part of the education about duties that Cicero offers thus soberly addresses "the methods by which we can acquire the ability to embrace and retain the support of other men" (II.19). Only if "virtue make[s] its own the hearts of other men" can it lead and be recognized by those who lack it (II.19). As will be shown, Cicero's attention to this problem permeates his account of the honorable itself in Book I.

WISDOM

To be sure, Cicero also means that we should seek the honorable because it is praiseworthy regardless of whether it actually receives praise. He thus presents it as something grand and beautiful in its own right: "you are seeing, my son, the very face and form, so to speak, of the honorable; if it could be seen with the eyes, as Plato says, it would inspire an amazing love of wisdom" (I.15).[110] But Cicero also quietly intimates that there is a confusion at the heart of the perception of virtue's dazzling nobility. As he reminds us, we do not perceive the honorable with the same precision with which we see physical objects. If we could see the honorable clearly we would not love the honorable as such, he claims, but instead would fall in love with wisdom. Cicero seems to suggest, then, that we pursue virtue as we ordinarily think of it—and as it is presented in this work—because our understanding of it is hazy or incomplete. While wisdom is connected to all parts of the honorable as it is usually conceived (I.15, cf. II.35), greater

[110] In the *Phaedrus* Socrates states that "by [sight] prudence is not seen—for it would produce terrible (δεινους) loves" (1998, 250d). Cicero thus alters Plato's text to elevate the object under consideration (from prudence to wisdom) and remove the sense of danger Socrates associates with the possibility of perceiving it with our eyes.

clarity would lead us to pursue wisdom alone. Nevertheless, this wisdom, if we can possess it, cannot be obtained except by reflection on the honorable.

Cicero therefore begins this reflection by dividing the honorable into four parts. Wisdom and prudence form the first part, which consists in "the investigation and discovery of what is true" (I.15, cf. I.153). Because the pursuit of truth "touches human nature most closely," it ranks highest among the virtues (I.18, I.13). By nature, Cicero claims, "we feel the pull that leads to a longing (*cupiditatem*) to learn and to know; we think it beautiful to excel in this, while considering it base and bad…to be ignorant, to be deceived" (I.18). But having asserted the nobility of this virtue which addresses a potent natural desire, Cicero cuts off the discussion. He explains neither what it is about learning and knowledge that we find beautiful, nor what about ignorance is shameful. He devotes most of his discussion about wisdom not to how we attain it, but to an explanation of its proper limits and the vices associated with the neglect of those limits. Indeed the whole discussion of wisdom, the virtue most suited to human nature, takes up less than one tenth of Cicero's discussion of the honorable in Book I. Perhaps this ought to be expected. Cicero begins *De Officiis* by noting his intention to treat the rules that govern middle duties rather than the questions that deal directly with knowledge of the good for human beings that wisdom requires (I.7). But just as he gives us reason to question the seriousness of his claim that he is unconcerned in this work with the higher-order questions, he now offers a subtle discussion of wisdom as a virtue underneath the description of its proper limits.

By presenting the pursuit of truth to the reader through the lens of its moral limits and associated vices, Cicero gives the impression that he is interested in the virtue of wisdom only as long it does not draw us "away from carrying things out," for "all the praise of virtue consists in action" (I.19). Although the pursuit of truth "is both natural

and honorable," the virtues that contribute to and consist in activity have a higher rank than wisdom (1.18, but cf. I.153-156). For this reason, Cicero focuses on the two vices closely linked with it that "one must avoid" rather than what one must do to acquire the virtue itself (I.18): "first, we should not take things that have not been ascertained for things that have, and rashly assent to them. Anyone who wants to avoid that vice (as everyone indeed should) will take time and care when he ponders any matter" (I.18-19). Nevertheless, by explaining to us the vices that are opposed to wisdom Cicero tells us at the same time about wisdom itself. And what he says strongly echoes his moralistic defense of Academic skepticism in *De Natura Deorum* (*DND* I.1). As in that work, Cicero now appeals to the shamefulness of rashness and imbues careful deliberation with moral seriousness. But, according to *De Natura Deorum*, if followed through, the prohibition against assenting to what has not been proved to be true leads especially to an acknowledgment of the limits of human knowledge and the ultimate impossibility of certitude (*DND* I.11-12). By recalling his introduction to *De Natura Deorum*, Cicero quietly gives the first hint that, in spite of his claim now to follow the Stoics, he has not jettisoned the skeptical understanding of knowledge and wisdom that he elsewhere defends. But whereas Cicero openly acknowledges in the earlier work that withholding assent from unproven claims appears to undermine civic morality (and then tacitly concedes the truth of that appearance), here he glosses over the difficulty. Instead he merely plants the question of the relation of the skepticism he professes elsewhere to the Stoic virtue he claims to take up here.[111] He gives no indication of the direction in which reflections undertaken with "time and care" might point.

[111] Cicero makes his continued commitment to the skepticism of the Academy explicit in Book II. He there claims to do no more than circumscribe the scope of the Stoic teaching to a small degree by accepting it as probable rather than certain (II.7-8). Certain commentators take the apparent fusion of Stoicism and Academic skepticism as unproblematic (see, for example, Annas 1989, 172; Long 2006, 289), but, as will be shown, Cicero indicates throughout Book I that the moral education that cultivates the nobility—valued

The depiction of the second vice associated with wisdom is similarly double-sided. Cicero argues that "some men bestow excessive devotion and effort upon matters that are both obscure and difficult, and unnecessary," but he does not explain how one steers clear of this particular vice (I.19). He says only that when both vices are avoided, "the amount of…care…given to things honorable and worth learning will justly be praised" (I.19). But holding out the promise of praise serves only to deepen the desire to discover what it is that is worth learning. To entice us further, Cicero recalls that "Gaius Sulpicius in astronomy and…Sextus Pompeius in geometry" received praise for their studies as did "many in dialectics, and yet more in civil law (*iure*)" (I.19). He thus draws his audience toward the study of the moral and political and away from natural science with the suggestion that those who are knowledgeable about politics are more likely to gain praise. Nevertheless he does not rescind his claim that Sulpicius and Pompeius were justly praised for their studies of astronomy and geometry. He maintains that all four "arts are…associated with the investigation of what is true" (I.19). He has therefore not yet resolved the question of how we decide what is "worth learning" and what things "are both (*obscuras*) and difficult (*difficiles*), and unnecessary (*non necessarias*)." But here too Cicero recalls *De Natura Deorum*, which opens by reminding the audience that taking up the question of the nature of the gods is not only "particularly difficult *(perdifficiles*) and obscure (*perobscura*)," but also "necessary (*necessaria*)" (*DO* I.19, *DND* I.1). Thus, not all obscure matters are unnecessary. Indeed Sulpicius, both an astronomer, a consul, and a military officer, was known for predicting a lunar eclipse on the eve of battle, by which he prevented the Roman soldiers from panic from fear of divine omens.[112] But unlike Sulpicius, Pompeius was not a political man and did not use his knowledge of

by the Stoics—in the pursuit of the honorable requires the subordination of the rational pursuit of truth that is the highest good for human beings.

[112] The episode is described by Livy in his *History of Rome*, 37.44.

geometry in the service of the republic. Yet Cicero refrains from mentioning that Pompeius also studied law, though he did not practice it.[113] Pompeius thus appears in *De Officiis* less concerned with politics than he was in fact. Cicero therefore indicates by these silences that the necessity and propriety of an inquiry is not governed by its direct political usefulness.

Cicero concludes this brief discussion of wisdom by conceding that, though we should not allow contemplation to distract us from activity, there are nevertheless "many opportunities to return to our studies" (I.19). But he adds to this conclusion that "all thinking and motions of the mind occur in one of two ways: either when taking counsel about honorable matters that pertain to living well and blessedly, or in the eager pursuit of knowledge and learning" (I.19). On the surface, Cicero maintains the distinction between activity and contemplation, but the distinction takes on a different meaning in light of his claim that by nature we believe that it "is necessary for a blessed life" to pursue learning about strange and difficult things (I.13). If it is true that this pursuit is necessary for our happiness, then the distinction between the activity that guides us to "living well and blessedly" and the pursuit of learning begins to dissolve (I.19). Cicero therefore seems to suggest that no subject is truly out of bounds in the pursuit of the truth, or that there is no limit to what or when we should try to learn.[114] But as we have seen, he also maintains that we should focus on, or at least begin with, the study of the "civil law." Cicero thus directs those in his audience eager for wisdom back towards the study of political life by beginning his discussion of virtue with a beautiful picture of knowledge that fulfills our "longing to learn and to know" and inspires an "amazing

---

[113] Cicero describes Pompeius' study of law in his *Brutus*, 175.

[114] Cicero therefore hints from the beginning of *De Officiis* that he does not share the view attributed to him by Nicgorski, that "as a way of life within the usual condition, such philosophizing is contrary to the duties imposed on men" (1984, 566).

love" but which operates, at least on the surface, within rather than beyond the requirements of civic obligation and propriety. On this basis, he turns next to examine these requirements as they manifest themselves in the virtues central to political life.

THE PROBLEM OF JUSTICE

But just as Cicero's initial discussion of human nature contains a certain ambiguity about the motivation for forming associations, his first explanation of the virtues linked with our lives in common is surprisingly unadorned. For whereas wisdom "handles and treats…truth," the goal of "the other three virtues…is necessities" (I.16-17). They are concerned with the acquisition and conservation of "whatever is required for the activities of life" (I.17). These requirements include human fellowship and "excellence and greatness of soul," but both are devoted to the rather prosaic ends of "increasing resources and…acquiring useful things for oneself and those dear to one" (I.17). Yet without retracting the claim that these virtues consist in the pursuit of necessities, Cicero adds that they "also, and much more" consist "in disdaining the very same things" (I.17). His discussion of political life thus begins by pointing emphatically to a contradiction at its heart. We form communities both because we believe it to be good to live safely and comfortably and because we believe it to be good to unleash ourselves from concerns of safety and comfort and to pursue more noble ends.

When Cicero turns to discuss the virtues directly connected with political life, he therefore begins to speak of them in more florid prose. He states that the core of his examination concerns the "most wide-reaching" of the virtues, "by which the society of men with one another and the common life, so to speak, are held together" (I.20). He now divides this virtue into two parts: "justice, the most illustrious of the virtues…and the beneficence connected with it, which may be called either kindness or liberality"

(I.20). Justice therefore comes to sight both as a virtue in its own right and as a part of a broader virtue that pertains to communal life.

But having described justice in this glowing way, Cicero establishes it on unspectacular and pragmatic foundations. Its first considerations are nothing more than safety and the preservation of property. Justice first requires that we refrain from harming others (I.21). This injunction, Cicero writes, is "the first service (*munus*) of justice," but he offers no explanation of it; it appears instead to be a simple and self-evident truth (I.20). This aspect of justice is nevertheless distinct from those he will soon discuss. Cicero does not associate it with the appropriate actions, or duties (*officia*), that we derive from the virtues, but rather seems to suggest that it is a function or service of the virtue itself. The avoidance of harm is a key benefit that justice provides to the community that observes it. It is the foundation that makes possible all appropriate action. For although human beings naturally associate and form cities with their fellows, it is nevertheless also the case that they do not live together without difficulty. Cicero concedes therefore that "it is difficult to be concerned about another's affairs" since "we do tend to notice and feel our own good and bad fortune more than that of others;" as a result "we do not make the same judgments about them and about ourselves" (I.30; III.22). If justice is the most illustrious of the virtues concerned with preserving society, it must do so in a way that acknowledges that self-interest is naturally stronger than our social inclinations and colors the way we think about other human beings. Virtue must not only support the ways in which human beings are political by nature, but also restrain those aspects of human nature that threaten political association. For this reason, Cicero explains that while "no property is private by nature," anyone who desires another man's property "for himself…will be violating the law of human society" (I.21). He admits that all private ownership is rooted in convention, but denies that even property acquired

through conquest is unjustly claimed (I.21). Because we form associations at least in part for the sake of increasing our own resources and advantage, these associations must leave adequate room for us to set aside things as our own (I.17). The abolition of the conventions of private property, though conforming to nature, would lead not to the sharing of all things in common, but to unleashing the desire for acquisition at the expense of the community.[115]

But in order to cultivate a commitment to the requirement that "one should use common things for the common and private things for one's own," it is necessary to extend the ties of citizens and the concern for what is common beyond consideration of one's own advantage (I.20). Cicero thus moves from speaking of justice as the guardian of private property to justice as devotion to the political community. He emphatically praises Plato who "splendidly wrote" that "we are not born for ourselves alone…but our fatherland claims for itself one part of us, and our friends another" and also recalls the Stoics, who hold that "everything produced on earth is created for the use of mankind, and men are born for the sake of men, so that they may be able to assist one another" (I.22). Cicero singles out Plato's claim as splendid; indeed it is more demanding than the Stoic view to which he now appeals (but cf. I.28-9). Plato argues that we give up a part of ourselves to the regime and he offers no promise of compensation or reward in return. Cicero does not mention, however, whether Plato claims that we are nevertheless happy to make this sacrifice or whether it is a burden.[116] The Stoics' teaching, by contrast, makes human beings more radically social by nature than Cicero does in his own name,

---

[115] Cicero therefore does not, as Hunt claims, accept uncritically the "conception of man as a social animal with private rights and universal obligations" (1954, 191).

[116] Cicero quotes from Plato's Ninth Letter, 358a (see also *DF* II.45). In a passage preceding Cicero's reference, Plato writes that "it is plain to almost everyone that the most pleasant thing in life is to attend to one's own business" (1926, 357e).

but claims that we derive benefits from living together. Cicero charts something of a middle path between these two extremes. He claims that nature leads us to cooperation and society, but that this natural tendency alone is not sufficient to maintain an association in which all "contribute to the common stock the things that benefit everyone together" (I.22). It is necessary to "bind fast the society of men with each other," thoroughly entwining our interests "by the exchange of duties, by giving and receiving arts and effort and means" (I.22; see also I.53).[117] The exchange not only of goods, but also of obligations among citizens forms an important part of the civic education that cultivates the desire to perform our duties. Our devotion to the common good, Cicero suggests, will always include the opinion that we derive benefits for ourselves from the regime. Because we cannot do away with self-interest, Cicero suggests, civic education must seek to support the opinion that self-interest is served by participation in political life. On this basis a healthy political order is possible, for these bonds inculcate a concern with the common good that moderates the extent to which we would otherwise pursue our own advantage at the expense of others. Cicero underscores the necessity of this education throughout *De Officiis* by making it the centerpiece of the laws. Indeed, "the mores and civic institutions…themselves…are pieces of advice" about the relationship of citizens to one another and to the regime (I.148). Moreover, the "laws have as their object and desire that the bonds between citizens should be unharmed" (III.23). All the laws and customs of the regime must tend toward the goal of cultivating

[117] Vivenza sees in Cicero's view "an effective synthesis of life in society as a paragon of mutual advantage obtainable through the organization of various kinds of exchange – of labor, of money, and of services" (2004, 508). While she offers a helpful review of the ways that the economic implications of Cicero's view were interpreted and misinterpreted by humanist thinkers of the renaissance, Vivenza overstates the utilitarian economic nature of Cicero's claim because she interprets *officia* as services we perform without the moral connotation of appropriateness or duty. Cicero's inclusion of duties among the things we exchange suggests, rather, that citizens view their relationship with each other—perhaps unclearly—not only as beneficial but also as noble.

the concern for the common good. For while wisdom can teach us "to a far greater extent" to live justly, for those who are not wise the law must rely on the fellowship created by a concern for duty towards the community to teach each citizen "never…to seek what is another's, nor to appropriate for himself something that he has taken from someone else" (III.23, 68). Cicero thus presents the concern for the common good as the core of justice in the political order, but maintains as its primary goal not the flourishing or excellence of its citizens, but the more modest aim of moderating potentially dangerous acquisitiveness.

Even this modest goal is nevertheless difficult to achieve, as Cicero's turn to a discussion of injustice shows. Moreover, the psychological sources of injustice that most threaten society among citizens defy total control. Injustice arises most often, Cicero claims, out of human beings' desire "to secure something for which they long (*concupio*)" (I.24). Avarice, the vulgar version of this vice, is particularly pervasive (I.24). In such cases "riches are sought both for the things that are necessary to life and in order to enjoy the pleasures" (I.25). To some extent, then, a prosperous regime in which citizens live securely and comfortably may be able mitigate injustices to which human beings are tempted by the desire for material well-being. But among "men of greater soul," wealth is sought as a means to "power and the opportunity to gratify others" (I.25). Unlike the desire for money simply, this desire is neither materialistic nor simply self-interested. Such men are attracted to "magnificent accouterments and a life cultivated with elegance and plenty" but above all wish "to be ruler in the republic" (I.25). We must therefore be suspicious not only of the greedy, but also of those who display the desire to make grand contributions to the regime. Men of great ambition become blind to and "overwhelmed by forgetfulness of justice" though motivated initially by the desire to be benefactors, and do not stop at overturning the laws "for the

sake of pre-eminence (*principatus*)" (I.26).[118] Because in politics "it is impossible for many to be outstanding, there will generally be such competition that it is extremely difficult to maintain a 'sacred society'" (I.26). Cicero thus brings in for the first time in *De Officiis* a consideration of the restraint on injustice that piety ought to play, but he does so in order to show that in the most pressing cases it is not clear that the restraint is sufficient. For although "it is a great thing to have the same ancestral memorials, to practice the same sacred rites, and to share common ancestral tombs," the recent example of Caesar, who "overturned the laws of gods and men" in his quest for power shows the weakness of the restraint of piety in his case (I.55, 26). But Cicero does not attempt to escape this difficulty by denying that men like Caesar are, in fact, great-souled or that ruling requires amassing a great amount of wealth. Indeed, he concedes that in spite of the fact that the desire for wealth feeds dangerous ambition the "expansion of one's personal wealth as harms no one is not, of course, to be disparaged" (I.25). And he compounds the difficulty with the suggestion that the problem of unjust ambition plagues not only the greatest individuals but also "the great majority" of men (I.26). Most people are vulnerable to being enticed by the competition for "positions of command or honor or glory" at the expense of the common good (I.26). Thus, while Cicero's account emphasizes the risk that individual "men of the greatest spirit and most brilliant talent" can pose to the regime, he also intimates a larger problem (I.26). If, as Cicero claims, "the great majority" of people are susceptible to the longing for command and honor, then neither material prosperity nor a moral support for the preservation of private

[118] Cicero also describes a second kind of injustice, in which men witness injury "being inflicted upon others" but "fail to deflect it, even though they could" (I.23). This is the particular vice of philosophers and misanthropes who think "that they should not even go near the republic unless they are forced to do so" (I.28). Book I culminates, however, in a rehabilitation of the philosophers in which Cicero denies the accusation he makes at I.28. Those, he writes "who have devoted their entire life to learning things have…managed to contribute to the utility and advantages of mankind," since "they have educated many to be better citizens and more useful to their republics" (I.155).

property will be sufficient to prevent potentially destructive competition among citizens.[119]

A further injustice reveals itself in "trickery, by an extremely shrewd but ill intentioned interpretation of the law" (I.33). This is the injustice characteristic not of the ambitious who wish to be recognized for great deeds, but of the clever who act through fraud. These citizens exploit the law by making use of the letter in order to achieve ends contrary to its spirit. Cicero warns that "cleverness of such a kind ought in every case to be avoided" (I.33). And he denounces as the greatest injustice "that of men who just at the time that they are most betraying trust, act in such a way that they might appear to be good" (I.41). He does not explain how their calumny can be prevented, but implies that law which attempts only to restrict behavior and which fails to reach the soul of its citizens will have at best weak defenses against the vices most dangerous to the regime. Protection against these injustices requires a moral teaching that acts as a restraint by inculcating a view of one's own good aligned with the spirit of the law. But justice is only one part of the social virtue that Cicero initially states is "the most wide reaching" with respect to communal life (I.20). It must be seen, then, whether the cultivation of liberality, the other half of this virtue to which Cicero next turns, resolves the difficulties pointed to in his account of justice.

THE LIBERAL REVISION OF THE ACCOUNT OF HUMAN NATURE

Cicero initially claims that honorableness in society among men requires "assigning to each his own" (I.15). It is striking, then, that this consideration is absent from the discussion of justice where we would expect to find it (cf. *DND* III.38). Cicero does not argue that justice gives to each as he deserves, but rather that justice is satisfied

[119] For a thoughtful account of Machiavelli's critique of Cicero's appreciation of and response to the problem of ambition, see Duff 2011.

by refraining from taking away what has come to belong to another and helping others defend themselves against harm when one is able (I.23, 28). The desire to give to each according to his due reappears, however, as part of the discussion of liberality, reminding us of the rather circumscribed aim that Cicero has assigned to justice in the regime. Liberality "bestows upon each person according to his worth," the concern for which, Cicero now repeats, is "fundamental to justice" (I.42). Liberality purports to be a corrective for this deficiency of justice in political life. But the relation of justice and liberality is unclear. Cicero argues that the liberality that deserves its name is only possible on the basis of the requirements of justice, for "nothing is liberal if it is not also just" (I.43). In this way it must be subordinate to justice. Nevertheless, Cicero also claims that "nothing is more suited to human nature" than liberality, trumping his earlier claim that justice is the virtue "on account of which men are called 'good,'" (I.42, 20). Liberality therefore comes to sight as a second candidate, following wisdom, for the core of what we most consider to be honorable, but it does so in an imprecise way (c. I.13, 18). Understanding what is beneficial first requires considerable "caution" (I.42, 44). Generosity towards one at the expense of another cannot truly be counted as beneficence because of the harm it inflicts, regardless of whether that harm is intentional (I.42). Liberality therefore requires the clarity of judgment that can distinguish between those actions that truly harm others while appearing to benefit them and those that confer real benefits (I.42).

A second danger arises, however, because "most men are not so much liberal by nature as drawn by a kind of glory" and wish, above all, "to be seen to be beneficent" (I.44). Cicero's discussion of liberality thus begins from the psychological roots of injustice that he presents in his previous discussion. We are easily enflamed by the desire for praise, which incites in human beings a "longing (*cupiditas*) to plunder" in order to

make possible the ostentatious beneficence which usually receives recognition (I.44). By contrast, Cicero seems to suggest that natural liberality has a narrow scope. But when he turns to that part of liberality which "makes choices according to worth," this scope begins to widen (I.45). We should not be liberal only towards our own, he writes, but ought to direct our generosity toward those who deserve it most. This noble aim is, however, deflated somewhat when Cicero notes that that deliberation about who deserves to receive liberal generosity must "look at the mores of the man…and at the spirit in which he views us, at the community and society of our lives together, and at the duties that he has previously carried out for our utility" (I.45). The liberality that accords with justice is emphatically political. Although it seeks to reward excellence, such excellence alone is not usually sufficient to warrant beneficence; it must instead be considered alongside the individual's usefulness to oneself and to the society of which both are a part. It is, however, not always the case that the same person is most excellent and most beneficial to oneself. When these qualities do not coincide in one person, "the more numerous and more important grounds will carry more weight" (I.45). The result of this consideration, Cicero admits, is the necessary lowering of the standards according to which the liberal man will act. Because "we do not live with men who are perfect and clearly wise, but with those who are doing splendidly if they have in them images of virtue," liberality must aim to "foster…the gentler virtues, modesty, temperance, and…justice" that preserve the community (I.46). But since Cicero's moral teaching as a whole is meant not for the wise, but for ordinary citizens, the lowered standards must apply as much to the liberal man himself as it does to the objects of his liberality. Cicero seems to suspect not only that there will be few people to reward who truly excel in virtue, but also that, to the extent that most will fall short of wisdom, it will be difficult for them to recognize true virtue in others (c. III. 16). Moreover, Cicero suggests that

most people would not direct their generosity to the truly virtuous even if they were clearly apparent, for "people generally…defer above all to him from whom they expect the most" in return (I.49). These reflections form the basis of Cicero's sobriety about the kind of liberality that can be cultivated among citizens. As the discussion of liberality continues, the significance of determining the mores of others recedes and Cicero increasingly presents desert in terms of gratitude for kindnesses received rather than merit. Political liberality consists in inspiring gratitude among "those who we hope will assist us in the future" and especially in returning it "to those who have already assisted us" (I.48). The liberal man, he writes, is above all the one who repays his debts, "for no duty is more necessary than that of requiting gratitude" (I.47, 48). Cicero's teaching presents, however, a modest refinement of the way we conceive of the exchange of benefits. We ought, he writes, to evaluate those who benefit us not simply according to the size or grandeur of their favor, but rather according to its "firmness and constancy" (I.47, 49). Cicero thus reintroduces considerations of mores, but makes propriety or decency, rather than excellence, the standard according to which they are judged and restricts them to the narrower field of those who have benefited us and those who might do so in the future. In this limited way, his conception of liberality fulfills its promise to give to each what he is owed among those who neither possess nor understand true virtue.[120]

---

[120] Cicero adds that "the most important function of duty (if all else is equal) is to enrich above all the person who is most in need of riches," only to admit that it is almost never done (I.49). As Dyck notes, "given the unconditional requirement of returning favors and the restriction *si cetera paria sunt* [if all else is equal], in practice little scope would ordinarily remain for helping the needy" (1996, 164; see also *DO* I.59). Dyck thus brings out the way that Cicero points to the difficulty even a morally serious man would have in fulfilling the obligations he acknowledges, "since...the resources of individuals are small, but the mass of those who are in need is infinitely great" (I.52). Dyck also argues, however, that Cicero seems to retreat from this position in order to "[inveigh] at length" against those who refrain from helping the needy at II.69-70 (1996, 165). While it is true that Cicero makes a stronger case for assisting "an excellent but needy person" in Book II, he does not do so the basis of a duty to enrich the needy, but in the guise of advice about how to accrue gratitude to oneself (II.69-70).

Cicero indicates clearly at the end of his explanation of liberality that the purpose of understanding it in this way is to ensure that "the society between men and their common bonds will best be preserved" (I.50). It is in this context that he announces that "it seems we should re-examine (*repetendum*) more thoroughly…the natural principles of human society and community" (I.50, cf. I.11-14). While he does not explain why this inquiry is necessary (Dyck 1996, 165), its placement suggests that the discussion of liberality requires, or at least makes possible, a revision of the initial discussion of human nature. Prompted by the reminder that "we do not live with men who are perfect and clearly wise" (I.46), Cicero sets out an account of human nature that can buttress the bonds that hold together the civic community. But what Cicero calls a re-examination differs both in starting point and in scope from its predecessor. In the initial account of the goods we seek by nature, Cicero claims that the formation of communities and associations ranks among the more important goods sought by human beings, but he places it below the search for truth as the most human activity (I.12-13). Following his discussion of liberality, however, Cicero examines not human nature as whole, but only that part of it which directs us to society with our fellows. This second account of human nature is therefore necessarily a partial one.

The discussion of the "natural principles" of society begins from our largest "unlimited" relationship with the human race as a whole and works its way inwards to our associations with particular individuals (I.53). Although Cicero again argues that we are differentiated from other animals most by reason and speech, these qualities are now said to direct us to learning and the pursuit of truth only in a diluted form (I.50). In this account "teaching, learning communicating, debating, and making judgments" are portrayed as the instruments by which "reason and speech…reconcile men to one another" (I.50). In this way, reason and speech, according to Cicero, are the bases of the

society of each human being with "the entire human race," the widest and perhaps weakest of human fellowships (I.50). Our natural cosmopolitanism nevertheless directs us to two kinds of duties. We ought first to ensure "that whatever is assigned by statutes and civil law should remain in such possession as those laws may have laid down" (I.51). In this respect, the society "of all with all others" reinforces but adds nothing to the duties imposed by political association (I.51). The allocation of property by the law, Cicero has already admitted, has few roots in nature (I.21). Indeed, by pointing specifically to the laws governing property, Cicero quietly reminds us of the gulf between what is natural and what the law commands. But reason, insofar as it forms the basis of this association, teaches the necessity of upholding the convention. As a result, our natural cosmopolitanism does not draw us outside or beyond the boundaries of our own political community, but places us more firmly within them.

Cicero does not, however, explain what rational reflection leads to the continuity between the duty imposed by the natural society of all human beings and the political society of the regime. He adds to the ambiguity with the argument that although the society of all human beings obligates us to share everything not covered by the law as "common to all men" (I.51), this includes only what "can be provided without detriment to oneself," such as "fresh water…fire…[and] trustworthy counsel" (I.51, 52).[121] Because of the fundamental scarcity of most resources we must not hope that the virtuous desire to give to each his due can be fulfilled in every case (I.52). Our obligations to the human race as a whole cannot, therefore, take precedence over our duties to our own. At the same time, however, Cicero makes a more far-reaching and radical claim that this prudential restraint of liberality seems to gloss over. Nature, he writes, directs us to

[121] Nussbaum criticizes Cicero for the "pernicious" narrowness of his cosmopolitanism that limits "our duties to those that seem not to demand any sacrifice of the resources and time we devote to our loved ones" (1998, 279-280; see also Nussbaum 2000, 185-187).

contribute to "the common utility," but not to sacrifice for the sake of the common good: what one contributes should "cause no trouble to the giver" (I.52).[122] Ultimately, then, the requirements of the fellowship of the entire human race diverge from those of the political order, which require us "occasionally to concede a little of one's right (*ius*)" (II.64, I.22). We must wonder, then, what accounts for the greater demand placed on us by our other associations.

But when Cicero turns to examine these "more intimate" associations, the neatness of his account's apparent progression from the wider and weaker relationships to the narrower and stronger ones immediately begins to fall apart (I.53). Cicero first moves from the broadest society of all human beings to consider the bonds one step nearer to us of "nations [and] peoples" (I.53). But he implicitly questions the moral significance of the ties of ethnicity and language, for although he claims that by these "men are bound strongly to one another," he nevertheless identifies no duties or obligations that arise from them (I.53). And rather than present a clear hierarchy among the more intimate associations of citizens, families, and friends, Cicero's account shows that each of these relationships competes over the claim to form our most powerful attachments (I.58). The roots of the bonds of citizenship appear first in those aspects of the regime that are "common to citizens" (I.53). The substance of citizenship, Cicero suggests, is drawn not only from participation in those things that shape the regime's structure—it's "forum, temples…laws and legal rights, law-courts and suffrage"—but also from the presence and use for the sake of business of such ordinary necessities as roads (I.53). Yet it is odd that Cicero appeals neither to nature nor to reason in this depiction of civic life. Moreover, he seems to attribute as much significance to the presence of roads as he does to laws. In

[122] Cicero's initial assertion here is therefore more selfish than Nussbaum suggests, for he claims that on the basis of our common humanity alone, there is no duty to sacrifice for anyone's sake.

this part of the account, political activity is shared among citizens, but it is not presented as the result of any uniquely noble characteristic of human nature. Indeed, Cicero now remains silent about the natural desire to join in political society which he establishes at the beginning of Book I (I.12). He makes this omission conspicuous when he turns to the family by reminding us that "it is by nature common to all animals that they have a drive to procreate" (I.54). Cicero thus gives priority to the family over the city by explicitly rooting it in nature and calling marriage, on this basis, "the first society" (I.54). As the source of "propagation and increase" and the foundation of the "household, in which everything is common," the family is the "principle of the city and the seed-bed, as it were (*quasi*), of the republic" (I.54). The bonds of civic association, Cicero writes, extend from and are solidified by the "goodwill and affection" of family life that arises from pious devotion to one's ancestors (I.54-55).

In spite of this praise of familial life, Cicero hesitates to accept fully the family's claim to primacy. The family is the "seed-bed of the republic" in only a qualified way. He emphasizes moreover that our attachment to the family stems not from our distinctively *human* nature, but from the lower parts of our nature that we share with all living things. Thus far, little in familial life or political life as Cicero describes them pertains to what is honorable. This deficiency is remedied only in the society of "good men of similar mores…bound by familiarity" (I.55). Indeed, Cicero now claims that "nothing is more lovable and nothing more tightly binding than similarity in mores that are good" (I.56). Whereas the discussion of justice laments that it is difficult to maintain fellowship among the most virtuous because they must compete for the greatest honors, the account of liberality on which this discussion of human nature is based allows Cicero to paint a rosier picture: "honorableness…moves us" and "all virtue…lures us to itself" so that we come to love those in whom we perceive it (I.56). More powerful than the

sharing of institutions and commerce and, according to this account, surpassing also the ties of familial piety is the similarity of "pursuits and wishes" on account of which "it comes about that each one is as much delighted with the other as he is with himself" (I.56). Cicero has shown that the conception of justice as the prohibition of harm does little on its own to soften the self-love that places an obstacle against concerning ourselves with the common good (I.29-30). He now invites the hope that the mores cultivated by the regime can lead citizens to see each other in the manner of the friendships of virtuous men. For virtue draws human beings together, according to Cicero, when it cultivates a common understanding of the good we ought to pursue. This common understanding cannot, however, fully jettison self-interest. Although Cicero refers approvingly to "what Pythagoras wanted in friendship, that several be united into one," he also maintains that friendship becomes "unshakeable" on the basis of "kindnesses reciprocally given" (I.56).[123] The relationship that Cicero describes rests simultaneously on the opinion that self-interest dissolves entirely through devotion to one's friends and that one's interest is served by the relation of virtuous friends. There is therefore a tension at the heart of this kind of friendship, but Cicero leaves unexamined it. Such an examination would undermine the strength of this friendship by attempting to untangle the confusion on which it is based. But the account of human nature of which this depiction of friendship is a part does not acknowledge Cicero's earlier claim that the rational pursuit of truth is necessary for human happiness. The principles of human society, and not reason, are the standards of this account. Insofar as the friendship now

[123] Cicero thus revises Cato's version of the Stoic view of friendship, according to which "there can be no justice or friendship at all except where sought for their own sake" (*DF* III.70). But when he returns briefly to the subject of friendship in Book III, Cicero reverts to Cato's view, obscuring the concern with one's own good (or even the good of one's friend) and claiming that "there can be neither goodness nor liberality nor courteousness, no more than friendship, if these are not sought for their own sakes, but are directed towards pleasure or benefit" (*DO* III.118).

described arises out of and helps to support these principles, it is good for human beings. As a result, Cicero does not attempt to unravel the confusion and he leaves his reader to wonder whether its maintenance is necessary for the moral outlook of the citizen as well.

In the passage that immediately follows the account of friendship, Cicero contradicts his claim that no fellowship is stronger than that of virtuous friends with the assertion that "none is more serious, and none dearer, than that of each of us with the republic" (I.57). This becomes clear, he writes, "when you have surveyed everything with reason and spirit" (I.57). But whereas reason teaches that we ought to contribute to the human race as a whole only what we can give up without sacrificing our own benefit, "the good man" knows that we must be willing "to face death" for the republic (I.57). The "good men" who form friendships based on the pursuit of virtue are thus reintroduced as citizens who care for the republic.[124] This care for the republic rises above their other associations: "parents are dear, and children, relatives and acquaintances are dear, but our fatherland has on its own embraced the affections of all of us" (I.57). Yet Cicero curiously neglects to mention friendship in this list. Political society seems to take on the role of friendship in this account as the fellowship that pursues honorableness. But we may wonder, then, whether reason supports the view of the good man in is willingness to sacrifice his life for the benefit of the republic. Cicero quietly indicates otherwise by continuing to suggest throughout this discussion that the

[124] According to Manent, "Cicero indeed celebrates the merits of friendship between virtuous people as he should, but he says nothing about the complex relation that obtains between friendship and the diversity of political regimes" (2013, 134). He is rightly dissatisfied with this account, for, as he claims, it does very little to explain the intricacies of friendship and does not address at all the relation between the best friendships and the regimes in which they are formed. In *De Officiis*, however, it seems that Cicero means not to shed light on true friendship, but on the hope and aspiration—that must be cultivated by the regime—for citizens to treat each other as friends, or part of a fellowship. In the mind of the citizen, this aspiration, Cicero shows, is maintained alongside and perhaps in competition with the devotion to one's family. As Manent describes, "the landscape" upon which this account is presented "becomes flat and at the same time confused" (2013, 134), but this landscape is Cicero's illustration of the citizen's grasp of his various associations.

ties of the citizen to the republic draw their strength from, rather than transcend, the same non-rational part of our nature that acts as the basis of familial association. He states that reason has a part in showing that the political association of each citizen with "the republic" is most important, but the association itself is described always with reference to "the fatherland" (I.57-58). The bond of political association is strongest, Cicero implies, when it is felt as an expansion of the familial bond, when it draws on the natural power of the love of one's own rather than seeking to overcome it entirely with concern for the common good. Cicero suggests, moreover, that a complete overcoming of devotion to the family by civic fellowship is not to be expected or hoped for. For if there were "a comparison, or competition, as to who ought to receive our dutiful services, our fatherland and our parents would be foremost" (I.58). The family and the republic sit in an uneasy tension. Both claim to deserve our utmost devotion, but neither can transcend the care the other inspires. At the same time Cicero suggests that civic fellowship in its best form contains both the love of one's own characteristic of the family and the love of those with whom one shares "similar pursuits and wishes." Or, to put it another way, citizens must think of themselves and each other partially as family members and partially as friends: they will therefore be linked to their fellow citizens on the basis both of a non-rational familial love and a shared admiration for the pursuit of virtue.

As if to emphasize this, Cicero argues that the ability to see what duty requires is a matter more of "use and practice" than of having "perceived advice (*praecepta*)" about virtue (I.60). The view of human nature that attempts to make citizenship imitate virtuous friendship is rooted in habituation rather than learning. The discussion of our natural associations thus locates what is most important for human beings in the honorable as it is cultivated by the regime, but it does so only by setting aside the natural desire to learn and discover the truth. Cicero quietly reminds us of this by concluding

that "whatever is necessary to support life is most owed" to the family and the fatherland (I.58). When he now distinguishes giving what is "necessary to support life" to those to whom it is owed from the "common living, counsel, and conversation" in the friendship that is "most pleasing," Cicero points to the possibility of a second kind of friendship (I.58), for neither "counsel" nor "conversation" are mentioned in his initial depiction of the friendship shared by good men. According to Cicero's earlier account of human nature, wisdom is the sole virtue unconcerned with necessities (I.16-17). He offers a glimpse, then, of friendship among those who pursue wisdom together and are perhaps clear-sighted about their pursuit of their own happiness. But his account emphasizes that we come to value political society and to mitigate the all too common agitations of the soul that cause injustice through habituation that builds on the confusion he identifies rather than rational inquiry that attempts to resolve it. Nevertheless, for those human beings who cannot attain wisdom this habituation is truly beneficial. For this reason, Cicero nowhere retracts his statement that reason shows the seriousness of civic fellowship. Reason confirms the necessity and goodness of inculcating the habits conducive to care for the regime, and, as Cicero soon shows, indicates that the core of this habituation lies especially in the virtue of propriety.

THE EDUCATION IN PROPRIETY

The successful rule of a republic requires that those "equipped by nature to administer affairs" acquire the "tranquility of mind and freedom from care" that enables one to "live without anxiety, with seriousness, and with constancy" (I.72). This is less difficult for philosophers than it is for political men, according to Cicero, because "there is less" for philosophers "which is vulnerable to the blows of fortune, and their needs are fewer" (I.73). Conversely, participation in politics multiplies our needs by making us

more dependent upon other people and forces outside of our control. The education of citizens, and especially of those citizens who will rule, must therefore seek to approach the seriousness and constancy attributed to the philosophers without leading the citizens to follow them in "abandoning public business" (I.69). According to Cicero, this is accomplished above all by cultivating propriety (*decorum*). Propriety consists in "a sense of shame, a certain ordered beauty of life, temperance and modesty, a calming of the perturbations of the soul, and due measure in all things" (I.93). But Cicero seems to run into difficulty in the attempt to explain the status of propriety in relation to the other virtues. Although he claims that propriety is not simply equivalent to the honorable, he must admit that "it is easier to grasp than to explain what the difference is…whatever it may be" (I.93-94, 95). We distinguish and understand it not, he argues, by "hidden (*recondita*) reasoning," but by attending to what "springs ready to view" (I.95). It is inseparable from and gives substance to the other virtues (I.94). Yet while propriety "is indeed completely blended with virtue," it is nevertheless "distinguished by thought and reflection" (I.95). As Kapust puts it, "ethical decorum…is evident to non-experts" (2011, 101). But Cicero's account of the "non-expert" view of propriety is more complicated than Kapust suggests. As Cicero presents it, propriety is something we think seriously about, but this reflection seems to remain vague enough that we notice and perceive propriety without being able to give a rational articulation of it.[125] It seems at once to be the foundation of virtue as a whole and distinguishable as a part.

However, the crucial importance of propriety is clear. Nicgorski argues that "virtue or right…is understood by Cicero as essentially propriety" (1984, 562). Indeed, Cicero now asserts that "the duty derived from [propriety] follows above all the road that

[125] Cicero's depiction of propriety is therefore well-encapsulated by Justice Potter Stewart's famous attempt to define pornography with the claim that "I know it when I see it" (Jacobellis v. Ohio, 1964).

leads to agreeing with and preserving nature" (I.100).[126] Cicero clarifies his initial attempt to define propriety by distinguishing between two kinds of the virtue (I.96). The first is "involved with honorable behavior as a whole" and the second, "something subordinate to this…relates to the individual parts of what is honorable" (I.96). The two parts of propriety thus do not, according to Cicero, correspond to the whole of virtue, on one hand, and a part of it, on the other. Instead propriety seems to relate in different ways to virtue in its entirety: while the former pertains to virtue as a whole, the latter conceives of and pertains to each individual virtue separately, but touches them all. The former denotes "that which agrees with the excellence of man just where his nature differs from that of other creatures," while the latter, subordinate, view "wishes propriety to be that which agrees with nature in such a way that moderation and temperance appear in it, along with a certain appearance (*specie*) of a free man (*liberali*)" (I.96). The difference between the two definitions of propriety is, therefore, vast. The "subordinate" definition is explicitly concerned with maintaining the external markers of virtue (c. I.130; Kapust 2011, 101). It is consistent with our nature because it shows the outward signs of human excellence by seeking a gentlemanly appearance through moderation and self-restraint. According to this view, all things are subject to proper self-restraint or moderation. This kind of propriety looks like virtue, but, Cicero suggests, falls short of the real possession of it.[127] The superior propriety that pertains to the whole of virtue conceives of what is fitting for a human being as the cultivation of the excellence that is particular to human nature rather than as self-restraint in all things. But, as Nicgorski

---

[126]Cicero has, however, already bestowed similar praise upon the both pursuit of truth and liberality (I.13, 18, 48). But propriety is the guide to virtue, perhaps, because neither of the more splendid concerns for wisdom, or liberality can cultivate the civic fellowship that is the object of the laws (III.23).

[127] Cicero echoes here his reference to the "mere images of virtue" of which most people are capable (I.46).

notes, Cicero ultimately "emphasizes the singularity or homogeneity of all true virtue to the point of saying that the distinctions among virtues are simply matters of common and imprecise speech" (1984, 562; *DO* II.35).[128] By showing the difference in the way propriety comes to sight when virtue is understood as a unified whole versus a set of separate parts, Cicero's discussion quietly anticipates the different ways that virtue is understood "when truth herself is debated" and when "speech is entirely adapted to common opinion" (II.35).[129]

Cicero offers only a glimpse of this true propriety. His discussion of the virtue is concerned almost exclusively with its subordinate form. This becomes clear when he takes up the view of nature as poet and playwright for which he criticizes Cato in *De Finibus* (*DF* III.24). Just as the "poets…will look to what is suitable and proper for a huge variety of roles…our parts have been given to us by nature" (I.98). But whereas Cato attributes wisdom to the human being who fulfills his role, Cicero's depiction is silent about wisdom: in his discussion of the roles given to us by nature he calls neither nature nor the decorous individual wise. Our roles, Cicero writes, consist in "constancy, moderation, temperance" and "a sense of shame," that "arouses the approval of one's fellows" (I.98). And though Cato claims that nature, by giving us our roles, teaches us virtue that is fully self-sufficient, Cicero's account of nature here teaches us especially that we must concern ourselves with how we are viewed by others. We must go so far as

---

[128] Nicgorski does not, however, explain why Cicero finds it necessary or helpful to maintain the imprecision of common speech here and throughout Book I or what accounts for Cicero's professed difficulty in explaining what propriety is.

[129] In her translation, Annas insists that although "the manuscripts say 'individual elements [*partes*],'" Cicero "is clearly contrasting the seemliness of honorableness as a whole…with the special seemliness of the fourth group of virtues" (*DO* I.96n.2); she revises the text on the basis of this interpretation so that it speaks of the second kind of propriety as relating to "*an* individual element " (emphasis added). Nicgorski, in spite of pointing to the significance of Cicero's distinction between the popular way of speaking about virtue and virtue in its true form, also takes Cicero to speak here of the two kinds of propriety in terms of the whole and one part of the honorable (1984, 562).

to "exercise a reverence towards men, both towards the best of them and also towards the rest" (I.99). Cicero thus shows that the aim of the subordinate version of propriety is not excellence or the recognition of excellence, but congenial relations among one's fellows, regardless of their virtue. It is the sense of shame in particular, the self-restraint that comes from concern with how one appears in the eyes of others, that Cicero makes central to propriety and, as a result, to the inculcation of civic virtue. He emphasizes this with a surprising demotion of justice in this account. We must note, Cicero explains, that "there is a difference between justice and shame…the part of justice is not to harm a man, that of a sense of shame not to outrage him" (I.99). The distinction itself, however, is also strange. As Cicero's condemnation of Caesar's unjust neglect of "all the laws of *gods* and men" shows (I. 26, emphasis added), outrage and offense are usually considered unjust. But he now intimates that shame, more than justice, is the crucial political virtue. It makes us desire the good opinion of others whom we might otherwise (and perhaps justly) ignore. While the shameless person is unfettered by the desire to maintain a dignified appearance and rejects the special status of taboos, shame restrains us by enlarging and transforming what we think of as vice from that which is harmful to that which is not only harmful but also insulting. By imbuing us with this desire, shame acts as a supplement to the narrowness of justice in the regime by restraining (or, failing this, punishing) in the way that justice wants to achieve but cannot.[130]

Having examined how one who cultivates propriety appears and behaves with respect to others, Cicero turns inward to examine such a man's soul. The soul, he argues, is divided into a part that desires (*appetitus*) and a part that reasons (I.101). Both appetite

[130] Kapust glosses over the strangeness of Cicero's assertion of the difference between justice and propriety by attributing to Cicero the view that "seemliness corresponds to justice" because each "involves giving others their due" (2011, 102). Cicero seems to suggest instead that shame, like liberality, corrects for justice's failure to give each his due. Whereas liberality seeks to reward those who deserve it, shame punishes those who deserve it in a manner that a law against harm cannot achieve.

and reason exert power over the soul, but the appetite "snatches a man this way and that," while reason "teaches and explains what should be done and what avoided" (I.101). It is possible, then, for reason as teacher to inform and shape the desires, which, on the basis of learning what ought to be sought and what avoided, come to move in concert with reason. But, having introduced the soul in this way, Cicero immediately drops this picture and instead begins to speak repeatedly of the relation of the appetites to reason in terms of obedience. He claims now that "reason…commands, and appetite obeys" (I.101-102). Our aim, he writes is to "ensure…that the appetites obey reason, and that they are calm and free from every perturbation of the soul" (I.102). What he describes, however, is a soul that is always in danger of being at odds with itself. The tranquility of the soul we must seek is attainable on this view only if the appetites are "adequately restrained by reason" (I.102). Otherwise our desires push and pull us in all directions, "whether attracted by something or repelled" (I.102).

It is in this context that Cicero introduces the law of nature, about which he has been silent in his previous discussions of nature and reason. Without the restraint imposed by reason, the appetites "transgress due measure and limit…They abandon, they cast off, obedience, they do not submit to reason, to which they are subject by the law of nature" (I.102). The law of nature makes possible the performance of duty. It "is practically a definition of duty," according to Cicero, that one should never "do anything for which he cannot give a probable cause" (I.101). Duties, as Cicero shows throughout *De Officiis*, consist in actions arrived at through sober judgment, above all about the common good. Such judgment is impossible if the desires of the soul "overstep their bounds" (I.102). Thus, nature also punishes deviations from its law. To show the cost of disobeying the law of nature, Cicero returns to the crucial role of shame in cultivating a concern for how we are seen by others. Failure to obey the law of nature in one's soul

manifests itself physically: "one can see the faces of angry men, of men aroused by some passion or fear, of men exulting in excessive pleasure; the faces, the voices, the gestures, the postures of them all are transformed" (I.102, see also I.131). The punishment that nature hands down for the lack of restraint is to make us displeasing and ridiculous to our fellow human beings. The primary role of the law of nature is therefore to offer a natural support for the sense of shame that inculcates the care for maintaining one's dignity before others and, on this basis, deference to them for the sake of their good opinion.[131] It is the natural basis of the civil law not only, as Cicero will later claim, in the prohibition against injustice, but also and especially in strengthening civic fellowship, which is the purpose of the civic and natural law alike (III.23).

The discussion of propriety necessitates a reexamination of the basic characteristics of human nature, for "it is a part of every inquiry about duty always to keep in view how greatly the nature of a man surpasses domestic animals and other beasts" (I.105). To this end, Cicero now exaggerates the gulf that separates man from beast, declaring that animals "perceive nothing except pleasure," and neglecting his earlier claims that animals also care for their offspring and even display courage (I.105; cf. I.11, 50). This revision serves first to distinguish the great heights to which human nature is able to ascend. Unlike animals, Cicero now recalls, "a man's mind…is nourished by learning and reflecting; he is always inquiring or acting, he is led by a delight in seeing and hearing" (I.105). Moreover, reflection on "the excellence and

[131] Wood argues, speaking of Cicero's corpus as a whole, that "the rule of nature applicable to humans is simply the divine reason ruling the soul of each of us, enabling us to distinguish between good and evil, the natural and the unnatural, and to direct our conduct accordingly" (1988, 72). The connection between the law of nature and the divine in *De Officiis* is, however, ambiguous. In Book I the law of nature guides human beings according to propriety and shame rather than divine reason. In Book III, Cicero does speak of "nature's reason" as "the law human and divine," but this statement follows his claim to speak "more splendidly" in the manner of the Stoics, whose teaching he ultimately must concede has not been proven to be true (III.23, 20, 33; on the significance of this last claim, see Kries 2003, 386-387). For a treatment that attends to the ambiguities in Cicero's treatment of the law of nature, see Pangle 1998.

dignity of our nature" shows that it is "honorable to live thriftily, continently, seriously, and soberly" (I.106). But many human beings, Cicero must admit, fall far short of this peak. Some "are men not in fact, but in name only" (I.105). While these beast-like human beings are uneducable, most people fall somewhere between the extremes.[132] Shame is the restraint, according to Cicero, by which a human being who is "captivated by pleasure…will deceitfully conceal his appetite" (I.105). Cicero does not blame the use of this deception, but neither does he praise it. He seems rather to accept its necessity in the cultivation of the virtue attainable by the majority of human beings and, therefore, also to accept its qualified goodness. The cultivation of shame as the core of the virtue of propriety is necessary not only because of how we are different from other animals, but also because of how we are similar to them.

Cicero only claims, however, that giving "a probable cause" for one's actions is "*practically* a definition of duty" (I.101, emphasis added). It is therefore not sufficient in itself. The defect lies, perhaps, in the way one determines "the probable cause" and, therefore, in the difference between the soul that must use reason to restrain the desires and one that uses reason to teach them. Both may have appetites that are "controlled and calmed," but only in the latter case do the desires follow reason freely on the basis of an account of the good we should seek (I.103, 101). When reason commands, rather than teaches, we may still pursue what is good for us, but only through a kind of force or authority against which the desires continue to struggle. A fuller definition of duty, then, would rest on the superior kind of propriety that pursues what is fitting through the

[132] In *De Republica*, *Cicero's* Scipio offers the more radical view that "although others are called human," only the wise, who "are refined in the arts appropriate to humanity are human beings" (*DR* I.28).

cultivation of the rational excellence peculiar to human nature rather than through restraint in all things and the appearance of freedom (cf. Nicgorski 1984, 562).[133]

Cicero adds that there is also need for thorough attention to one's own individual character as a compliment to self-restraint. This discussion both shows the extent to which he accommodates his account of virtue to ordinary human beings and offers a glimpse of the source of propriety in its higher sense (I.107, 110). This need is rooted first in a deepening of his account of nature's determination of our roles as human beings. Nature, according to Cicero, has "dressed [human beings], as it were…for two roles" (I.107). In addition to the nature we share in common with other human beings, the "enormous bodily differences" and "still greater differences in men's souls" show that we also each have a nature that is "assigned specifically to individuals" (I.107-8). This common sense articulation of the "dissimilarities of nature and mores" among individuals leads Cicero to revise his initial claim that "everything honorable and proper" derives from what is common to human beings (I.109, 107). Even among the best human beings, the way that each individual can make use of his capacity for reason and speech will differ (I.108-9, 115). For this reason, "the propriety that we are seeking might more easily be maintained" if, while "[attempting] nothing contrary to universal nature,…we measure our own [pursuits] by the rule of our own nature" (I.110).[134] But this acknowledgment of the diversity of individual human possibilities necessarily also influences how we ought to view the part of our lives that we share in common with others. By rooting the attention to individual nature in the virtue of propriety, Cicero

[133] In this way, Cicero's argument about what is most fitting for a human being points toward Scipio's more radical view in *De Republica* (I.28).

[134] Gill notes well that in Cicero's account potential conflicts between the dictates of one's individual nature and "conventional social values" are anticipated and "explicitly pre-empted" (1988, 179, 193-4). Burchell also notes that Cicero allows for attention to individual nature only within these bounds—since "social conventions are the bulwarks of *honestas*"—but recognizes no potential tension between them (1998, 111).

indicates that he understands this too to serve the strengthening of the bonds of political society. In this way, he suggests that a regime is best served if it allows a degree of room for the great difference in the kinds and levels of abilities among citizens. Because this conception of propriety is meant as a practical teaching, it must allow for a certain relaxation of the strictness of the Stoic view of virtue. Thus, Cicero does not hold, with Cato, that only those who have perfect wisdom should be called virtuous (*DF* III.48, IV.21). Instead, he argues that propriety requires the recognition that "it is appropriate neither to fight against nature nor to pursue anything that you cannot attain" (I.110). Virtue consists in the fulfillment of a gentlemanly sense of proportion rather than perfection. We ought to aim, therefore, for "an evenness both of one's whole life and of one's individual actions" (I.111).

But while this conception of propriety is more permissive than traditional Stoicism about the possibility of virtue in those who fall short of the perfection of human nature, it is more exacting in another way. The "evenness" in one's life that Cicero speaks of arises truly only out of self-knowledge. Moreover, Cicero warns that this "deliberation is the most difficult thing of all" (I.117). The knowledge we need begins with the ability to "judge…[one's] own good qualities and faults" (I.114), but this is not on its own sufficient. It requires that we "grasp…with soul and thought…who and what we wish to be, and what kind of life we want" (I.117). Reflection on the question of how we ought to live is, for Cicero, fundamental to virtue. Such self-examination seeks above all to "be constant to ourselves for the whole length of our life" (I.119). In the best case it is a solitary activity that refuses to recognize the weight of any authority in shaping how we understand the good life, both "so that we do not imitate [our ancestors] in their faults" and, Cicero admits, in case "our nature is not strong enough to be able to imitate" our ancestors in their strengths (I.118, 121). What Cicero describes, then, is a propriety

that looks most to the state of one's soul rather than to how we relate to others. It takes nature, which "carries the greatest weight in such reasoning" as its guide (I.120), but assigns the work of discovering what is good for us and how we ought to live to human judgment, rather than to nature in the role of the poet. As he explains the kind of knowledge we ought to seek and how it may be attained, Cicero thus leaves behind the view that virtue is the fulfillment of roles that we passively receive from nature. In this way, Cicero quietly reintroduces the critique of the Stoic nature-poet that he first offers in *De Finibus*, even as he employs a version of that view to support his moral teaching (*DF* IV.34-36).

Cicero acknowledges, however, that "it is…an extremely rare type of person who is endowed with outstanding intellectual ability or a splendidly learned education, or both, and who has also had the time to deliberate of which course of live he wants above all to follow" (I.119). So rare is such an individual that Cicero presents Hercules as his exemplar. The hero "went out to a lonely place" and "sat there for a long time while he pondered by himself which path it was better to take" (I.118). But, Cicero cautions, "it is not the same for us," who lack a divine nature (I.118). Cicero mentions in this passage that he takes the story of Hercules' deliberation from Xenophon's *Memorabilia* (II.2.21-34). It is all the more striking, then, that Cicero makes no mention of Socrates in this account of the pursuit of knowledge about the best way of life. By depicting only Hercules engaging in what seems to be a genuinely Socratic activity, Cicero focuses our attention on the great difficulty of this endeavor. It requires not only a sharp mind, but also the courage or strength of Hercules. The portrayal of Hercules as a stand-in for Socrates calls attention to the gulf that separates the individual who is able to undertake true self-examination from the greater part of humanity that is capable only of the useful and necessary, but more superficial, judgments about the strengths and weaknesses of

their character. To make this emphatically clear, Cicero devotes almost as much of this discussion to the many natural and conventional obstacles in place against the possibility of self-examination as he does to the explanation of how we can pursue it. To begin with, each of us must inevitably decide which way of life is best "as adulthood is approaching, just when his counsel is at its very weakest" (I.117). If these initial judgments are mistaken it is also unlikely that the mistake will be recognized, for they cannot help but color the experiences and judgments that follow. We therefore "[become] engaged upon a fixed manner and course of life" from which it is difficult to depart (I.117). Moreover, while we ought to attribute "the greatest weight" to nature in forming our judgments (I.120), we usually do the opposite:

> we imitate those whom each of us thinks he should…[and] are generally imbued with our parents' advice and led towards their customs and mores. Others are swayed by the judgment of the masses, and long especially for the things that seem most beautiful to the majority." (I.118)[135]

Cicero thus gently indicates that the same moral teaching which ties us to our fellows for the sake of the common good impedes the self-examination that can lead to better judgment about how we ought to live. Whereas his treatment of liberality stresses the role of the family and ancestral customs as the seed of political association, Cicero now points to the deficiency of accepting those customs on their own authority as a guide for the good life. And though he does not deny that "some…have followed the right path of life…through parental guidance," Cicero gives this possibility the same weight as the luck of "good fortune," for which one can be happy, but cannot claim credit (I.118). Cicero now also disparages those who are moved by what the multitude praises and

[135] Kapust goes too far, then, in attributing to Cicero the general view that "decorum, which encourages speakers and actors to meet the expectations and standards of those observing them, draws on a common sense *rooted in human rationality*, thus grounding the observer-imposed constraint on the orator and moral actor in something more than mere opinion" (2011, 94, emphasis added).

blames, contradicting his argument that reverence not only for the good, but also for the many is a crucial part of the care for propriety that solidifies the concern for the common good by making us wish to be pleasing to our fellows (I.99).

In addition to the obstacles that impede our discovery of what life is best, Cicero recognizes that necessity and circumstance often prevent us from pursuing that way of life even if we recognize it. Circumstances may require that we take on responsibilities that go beyond our natural abilities (I.115, 120), and they may conversely prevent us from making the most of our talents. Perhaps, Cicero leads us to wonder, the best that most human beings can hope for is that we arrive at something that approximates the way of life for which we are best suited through a combination of our own good nature and the good fortune to have a virtuous family in a decent regime. Indeed, as if recognizing this, he soon begins quietly to retreat from the view that solitary and rigorous self-examination is necessary for the good life to the claim that "it befits a youth to revere his elders and to choose from them the best and most upright, upon whose counsel and authority he might depend" (I.122). The "prudence of the old" is necessary to make the young "wary of intemperance and mindful of a sense of shame" in order to prepare them for participation in the life of the regime (I.122). Cicero thus emphasizes again that shame and self-restraint are the core of the education necessary for all but the best human beings. Together these qualities act as a substitute for the education provided by the rational pursuit of self-knowledge that is possible in only the rarest cases. But by standing in for this more exacting pursuit, the familial and civic education in propriety obscures its own rational defects from view. Although the combination of good nature, circumstance, and education that makes serious self-examination possible is exceptionally rare, as citizens we are taught to esteem the opinions and experience of our fellows as though they achieve true excellence. It is therefore "not…inappropriate,"

Cicero argues, to seek the advice of "men who are learned or experienced…for the greatest part of them tend to be carried along to where they are led by nature herself" (I.147). But Cicero goes beyond the sensible claim that one can learn and benefit from the experience of the best of one's elders. He adds that, just as artists "want the vulgar to inspect their own work, so that they may correct anything that most people criticize…there are very many occasions when we ought to rely on the judgment of others in choosing or rejecting, or altering and correcting, our actions" (I.147). To be sure, Cicero does not argue that virtue requires that we relinquish our own judgment entirely. Like the artists who "ask not only themselves, but others too, what is wrong," deliberation about duty requires that we look to our own opinions and those of others in combination (I.147). But Cicero asserts that deference is the correct course in most cases. Civic virtue is therefore characterized by submitting one's own judgment to the experience and judgments of the so-called better men, informed by the regime's "mores and civic institutions," to whom we should look for advice (I.148). While those who form judgments in this way will think of themselves as independent, their deference implicitly takes the opinions of the majority as its standard.

Cicero openly admits to the difference between this dilution of the primacy of one's own judgments and what one might call the philosophic life. But he warns that "no one should be led into the error of thinking that because Socrates or Aristippus did or said something contrary to mores and civic custom, that it is something he may do himself" (I.148). Through the pairing of Socrates and Aristippus, a student of Socrates who ultimately turned to hedonism, Cicero recalls the story of Hercules' deliberation about the way of life he ought to pursue (I.118). Cicero does no more than attribute the story to Prodicus, but he encourages his reader to seek out the original by noting that the fable appears in the works of Xenophon. According to Xenophon's *Memorabilia*, Socrates

relates Prodicus' story to Aristippus as part of a conversation spurred by Socrates' recognition "that one of his companions was too undisciplined" (1994, II.1.1).

But Cicero's reference to the two Athenians is nevertheless odd. On one hand he gives Socrates no credit for his attempt to convince Aristippus of the importance of continence. But on the other, he presents no moral condemnation of Aristippus' hedonism (cf., for example, *DO* III.116, *DF* I.23). Instead he praises both Socrates and Aristippus for their "great, indeed, divine goodness" on account of which they "acquired such license" to ignore the "mores and civic customs" of Athens (I.148). Cicero seems to suggest that from the perspective of the regime, Socrates and Aristippus are the same. We can admire their strange loftiness, but because both appear to flaunt their freedom from the mores of the city, both must be rejected as role models for good citizens (but cf. Xenophon 1994, II.1.13-15). Nevertheless, Cicero's elevation of Aristippus to Socrates' level intimates an openness to the possibility of a serious philosophical hedonism that Cicero rarely displays elsewhere. Moreover he moves from this praise immediately to a condemnation of the Cynics—the intellectual predecessors of the Stoics—for a teaching that is "hostile to a sense of shame" without which "nothing can be right, and nothing honorable" (I.148). The Cynics, Cicero claims, are more dangerous to the cultivation of civic virtue than Aristippus the hedonist.[136] Cicero wishes perhaps to return our attention to the danger posed by popular philosophies that attempt in public to lay bare the rational deficiencies of political life and, in particular, of the concern for propriety on which civic virtue depends (I.128). In so doing, however, Cicero seems to urge caution also to the

[136] Cicero does not mention in this context that Aristippus was himself a member (perhaps the founder) of the Cyrenaic school. When he mentions Aristippus again, referring explicitly to his association with the Cyrenaics and the similarity of that school with Epicureanism, Cicero declares that "we must fight against these 'with horse and foot' as the saying goes, if it is our proposal that honorableness be guarded and preserved" (III.116). Cicero's objection, then, is perhaps directed more towards the popularization of hedonism through the schools than it is to hedonism itself.

philosophically inclined of his readers who may resist the popularization of philosophy, for he claims that *no one* ought to model themselves after Socrates and Aristippus. But while he declares that we must avoid "the reasoning of the Cynics," he warns against following what Socrates and his companion "did or said" (I.148). Cicero therefore leaves open the possibility of attempting to follow Socrates or Aristippus in *their* reasoning. This endeavor, however, necessarily rejects following either as an authority. To act as Socrates did because he did it is an obstacle to learning rather than a sign of it (c. *DND* I.10, *TD*. V.11). Socrates was justified in his actions by virtue of his excellent nature. Only by attempting to discern our own natures can we set ourselves on the path to understanding his reasoning and determine whether it is appropriate for us.

As a result, Cicero suggests, we should not be too quick to imitate Socrates and Aristippus in their public actions. Even those who pursue the superior propriety that determines how to live through rational inquiry need to concern themselves with the appearance of propriety of the lower kind.[137] They should attempt to present themselves as Cicero presents himself, supporting and defending, rather than debunking, the customs and conventions of the regime and the virtues of political life. But this presentation is not mere appearance. The attempt to give civic virtue a serious defense is also central to the Herculean or, more truly, Socratic activity of inquiring for oneself about the best way of life. Only by articulating what civic virtue is in its best form can one decide whether it succeeds or fails in its claim to lead to what is truly good for human beings. But Cicero never allows us to forget that while some are able to discern how they ought to live on the basis of reason alone, most human beings require habituation that appeals to our

[137] Cicero does not imply, then, that "*common* prudence provides a standard against which to judge the works of philosophy" (Nicgorski 1984, 575 emphasis added). Instead Cicero seems to suggest that the philosopher or potential philosopher will abide by and take seriously the mores and virtues of political life, but will do so in the service of his own rational pursuit of self-knowledge rather than an acceptance of the authoritative claim of those mores to be good for us.

nonrational and irrational desires and cares in addition to, and perhaps more than, our reason. This habituation is nevertheless worth preserving wherever possible because it is the chief means by which the regime can justly claim to benefit its citizens. Cicero can rightly claim on this basis to articulate a popular and civic teaching about virtue that is "joined to nature" because it accounts for the impossibility of guiding political life by reason alone (I.6).

Conclusion

As the previous chapters have shown, Cicero has little confidence in the possibility of fully rational politics. He acknowledges that most human beings are not very good at pursuing what is best for themselves, but he does not share with our modern critics of the irrationality of modern democracies the hope that systems of thought that stand above the fray of political life and claim to simplify our pursuit of the good can resolve this difficulty by imposing rational (or purportedly rational) rule. As Cicero shows throughout his corpus, this hope is misguided not only because it neglects the necessity of allowing sufficient outlet for our nonrational passions, but also—and perhaps more importantly—because it is blind to the ways a healthy political order directs and makes use of the irrational parts of our nature for the common benefit. In light of Cicero's analysis, the problem with the libertarian paternalist proposals of our own day, for example, becomes clear. While they attempt to leave room for freedom of choice, they also try to steer us towards goods they have little faith we will recognize on our own. Like Stoicism, then, this kind of paternalism fails to pay adequate attention to the fact that good citizenship and good judgment in politics is not the result of reason alone. If we take Cicero's reflections seriously, we must question whether any regime can succeed for long if its policies seek to steer us towards a goal without taking up the much harder task of educating us about why we ought to pursue it. For this, only an education that seeks to train citizens in the responsible use of their freedom and to moderate the passions by offering a better account of the goods to which they aim is adequate to the task.

But Cicero's account of this education contains much that seems alien to modern politics. His emphasis on the crucial role of shame in forming the civic fellowship that

cultivates the concern for the common good is especially foreign to us. The libertarian paternalists' desire to maintain freedom of choice against the undue external influence is itself indicative of the gulf that separates their view from Cicero's account of the roots of good judgment about politics in the virtues that ultimately take their bearing from political and social convention and the opinions of the majority. Cicero, however, gives us reason to reconsider the value of these virtues. Although he admits that they cannot serve as a guide for a rational life, he insists they are nevertheless indispensable for healthy politics and in most cases good for us as individuals. For if we are honest with ourselves, very few of us can claim truly to follow the light of reason alone in all things. The virtues as Cicero presents them are not as rigid, lofty, or rational as the Stoics wish them to be, but they serve a serious educative and political purpose. Liberality does not give rise to duties that can or should be enforced by law, but together with propriety it forms the core of the education that exhorts citizens to recognize the benefits that the regime allows us to pursue in common. By binding us more tightly to the regime, these virtues not only encourage us to make sacrifices large and small for the sake of the community when necessary, but also attempt to mitigate the danger of the most problematic injustices that arise out of great ambitions against which, according to Cicero, piety and law are often weak restraints.

But Cicero does not regard this education as necessary only for the sake of the political order as a whole. He suggests that it inculcates in individuals the prudence and moderation or self-restraint (sought also by the libertarian paternalists) by cultivating and clarifying the connection of these virtues to goods—not only safety and prosperity, but also friendship and honor—that citizens recognize and desire. These virtues are crucial, Cicero shows, because they help us to approximate through a combination of reason, passion, and tough-minded self-restraint the more ordered soul of the rare individual who

is able to pursue the happiness most suited to human beings in the rational investigation of the truth about nature.

But Cicero's account of the limits of reason does not lead him to submit philosophy to the standard of the nonrational virtues of political life. He holds that the serious attempt to guide one's life by reason is the best way of life possible for human beings, but admits that this activity points away from the morality of community that informs the proper civic understanding of virtue and duty. The philosopher, Cicero argues, abides by the law but his reasons for doing so will not mirror the citizen's: he understands the benefit of a decent political order, but because he does not acknowledge the authority of its mores and conventions, he will not be bound to the regime in the manner of the good citizen. This understanding of philosophy is the root of Cicero's concern about its spread in popularized form. Cicero shows that the schools' enlightening projects leave citizens in a dangerous limbo, no longer attached to the civic morality that teaches prudence through a moderating self-restraint, but also lacking the more solid prudence that comes, Cicero suggests, from the rational pursuit of wisdom. As a result, Cicero defends against the schools a civic virtue that is irrational at its core.

But neither this defense, his presentation of himself, nor his depiction of the philosophical life requires or merits the view—taken by Voegelin, Wood, Nussbaum, Nicgorski, and others—that Cicero ultimately subordinates philosophy to politics. Instead, he insists that the attempt to understand human nature is better served by observing and contemplating the benefits that accrue to human beings from the maintenance of political and social conventions rather than dismissing those conventions for being irrational or unnatural. For this reason, Rousseau seems to go too far when he writes of Cicero that we see in his works one "who along with his friends laughed at the immortal Gods to whom he so eloquently bore witness on the Rostrum" (2007, 10n).

While we may certainly question whether Cicero himself believed in the ancestral religion of his republic, his critical presentation of Cotta in *De Natura Deorum* suggests that he found the mocking refutations of his Academic interlocutor not only politically but also theoretically problematic. These Academic refutations share with the Stoic and the Epicurean teachings the tendency to obscure one's own hopes and desires from oneself and to impede, rather than encourage, the self-examination that is the basis of philosophical inquiry. Cicero's critique of the schools is also, then, a defense of genuine philosophy. His quiet demonstration of the gulf that separates the life of civic virtue from the life of reason is the necessary supplement to his account of the virtues of political life. In his writings Cicero attempts to present a model of philosophical inquiry as he understands it and, in so doing, to safeguard the possibility of this way of life for the future. In this way, as Strauss writes, "what Plato did in the Greek city and for it was done in and for Rome by Cicero" (2000, 206). Cicero also indicates, however, that his own participation in the politics of his regime contributed to his philosophical activity. Moreover, insofar as he shows that serious attention to the benefits and dignity of political life is a stepping stone to philosophy, Cicero suggests that citizenship in a decent regime will encourage and preserve the possibility of the philosophic way of life in those for whom it is possible. His defense of republican politics is necessary, then, not only for the majority of human beings for whom civic virtue is the best guide for a good life, but also for the potential philosopher. To be sure, Cicero nowhere implies that he devoted himself to the preservation of the Roman republic for the sake of philosophy alone, but his writings seem to suggest that his political activity included this philosophical purpose. Cicero's presentation of himself does not, then, seem to take Strauss' view that his "political action on behalf of philosophy has nothing in common with his actions against Catiline and for Pompey" (2000, 206). Indeed, Cicero seems to have manifested in his

own life his teaching that reason and the law can point to similar ends on the basis of separate justifications.

Bibliography

Adler, Eve. 2003. *Vergil's Empire*: *Political Thought in the Aeneid*. New York, NY: Rowman and Littlefield Publishers.

Annas, Julia. 1988. "Cicero on Stoic Moral Philosophy and Private Property." In *Philosophia Togata I: Essays on Philosophy and Roman Society*. Ed. Miram Griffin and John Barnes. Oxford: Clarendon Press.

Aristotle. 1997. *Politics*. Trans. and ed. Peter L. Phillips Simpson. Chapel Hill: University of North Carolina Press.

Atkins, Jed W. 2013. *Cicero On Politics and the Limits of Reason: The Republic and The Laws*. Cambridge: Cambridge University Press.

Augustine. 1998. *The City of God Against the Pagans*. Ed. and Trans. R.W. Dyson. Cambridge: Cambridge University Press.
--- 2007. *Confessions*. Trans. F.J. Sheed and ed. Michael P. Foley. Indianapolis: Hackett Publishing Company.

Baraz, Yelena. 2012. *A Written Republic: Cicero's Philosophical Politics*. Princeton: Princeton University Press.

Barlow, J. Jackson. 1987. "The Education of Statesmen in Cicero's De Republica." *Polity* 19(3): 353-374.

Ben-Porath, Sigal R. 2010. *Tough Choices: Structured Paternalism and the Landscape of Choice*. Princeton: Princeton University Press.

Brochard, Victor. 2009. "The Theory of Pleasure According to Epicurus." Trans. Eve Grace. *Interpretation* 37(1): 47-83.

Burchell, David. 1998. "Civic Personae: Macyntire, Cicero, and Moral Personality." *History of Political Thought* (19)1: 101-118.

Burris, Eli Edward. 1926. "Cicero and the Religion of His Day." *The Classical Journal* 21(7): 524-532.

Buttle, Nicholas. 2001. "Republican Constitutionalism: A Roman Ideal." *The Journal of Political Philosophy* 9(3): 331-349.

Carter, J. M. 1972. "Cicero: Politics and Philosophy." In *Cicero and Virgil: Studies in Honor of Harold Hunt*. Ed. John R.C. Martyn. Amsterdam: Adolf M. Hakkert.

Churchill, Winston. 2001. *The Churchill War Papers Volume 3: The Ever-Widening War*. Ed. Martin Gilbert. New York: W.W. Norton and Company

Cicero, Marcus Tullius. 1923. *On Old Age, On Friendship, On Divination*. Trans. W.A Falconer. Cambridge: Harvard University Press.
--- 1927. *Tusculan Disputations*. Trans. J.E. King. Cambridge: Harvard University Press.
--- 1928. *On the Republic, On the Laws*. Trans. Clinton W. Keyes. Cambridge: Harvard University Press.
--- 1933. *On the Nature of the Gods, Academics*. Trans. H. Rackham. Cambridge: Harvard University Press.
--- 1948. *On the Orator Books I-II*. Trans. E.W. Sutton, H. Rackham. Cambridge: Harvard University Press.
--- 1951. *On Ends*. Trans. H Rackham. Cambridge: Harvard University Press.
--- 1977. *Orations*. Trans. C. Macdonald. Cambridge: Harvard University Press.
--- 1991. *On Duties*. Trans. E.M. Atkins, ed. M.T. Griffin. Cambridge: Cambridge University Press.
--- 1997. *The Nature of the Gods*. Trans. P.G. Walsh. Oxford: Clarendon Press.
--- 1999. *Letters To Atticus, Volume 3*. Trans. D. R. Shackleton Bailey. Cambridge: Harvard University Press.
--- 2001. *On Moral Ends*. Trans. Raphael Woolf, ed. Julia Annas, Cambridge: Cambridge University Press.
--- 2003. *Cicero: De Natura Deorum Book I*. Ed. Andrew Dyck. Cambridge: Cambridge University Press.
--- 2013. *"On the Republic"* and *"On the Laws*." Trans. David Fott. Ithaca: Cornell University Press.

Clarke, M.L. 1956. *The Roman Mind*. Cambridge: Harvard University Press.

Clarke, Michelle T. 2014. "Doing Violence to the Roman Idea of Liberty? Freedom as Bodily integrity in Roman Political Thought." *History of Political Thought* (35)2: 211-233.

Conly, Sarah. 2013. *Against Autonomy: Justifying Coercive Paternalism*. Cambridge: Cambridge University Press.

Degraff, Thelma. 1940. "Plato in Cicero." *Classical Philology* 35(2): 143-153.

Duff, Alexander. 2011. "Republicanism and the Problem of Ambition: The Critique of Cicero in Machiavelli's *Discourses*." *Journal of Politics* 73(4): 980-982.

Dyck, Andrew R. 1996. *A Commentary on De Officiis*. Ann Arbor: University of Michigan Press.

Epicurus, Epictetus, Lucretius, Marcus Aurelius. 1940. *The Stoic and Epicurean Philosophers: The Complete Extant Writings* Trans. C. Bailey, H.A.J. Munro, P.E. Matheson, G. Long, ed. Whitney J. Oates. New York: Random House.

Epstein, Lee and Knight, Jack. 1998. *The Choices Justices Make*. Washington, D.C.: Congressional Quarterly.

Finley, M.I. 1983. *Politics in the Ancient World*. Cambridge: Cambridge University Press.

Fott, David. 2009. "How Machiavellian is Cicero." In *The Arts of Rule: Essays in Honor of Harvey C. Mansfield*. Ed. Sharon R. Krause and Mary Ann McGrail. Lanham: Lexington Books.

--- 2012. "The Politico-Philosophical Character of Cicero's Verdict in *De Natura Deorum*." In Nicgorski 2012. 152-180.

Frost, Bryan-Paul. 2010. "Corrupting or Edifying? Cato the Elder and Cicero on the Role of Philosophy in Roman Civic Education." In *Recovering Reason: Essays in Honor of Thomas Pangle*. Ed. Timothy Burns. Lanham: Lexington Books.

Gill, Christopher. 1988. "Persohood and Personality: The Four-*personae* Theory in Cicero, *De Officiis* I." In *Oxford Studies in Ancient Philosophy Volume VI*. Ed. Julia Annas. Oxford: Clarendon Press.

Glendon, Mary Ann. 2011. *The Forum and the Tower: How Scholars and Politicians Have Imagined the world, From Plato to Eleanor Roosevelt*. New York: Oxford University Press.

Gorman, Robert. 2005. *The Socratic Method in the Dialogues of Cicero*. Stuttgart: Franz Steiner Verlag.

Greene, Joshua. 2013. *Moral Tribes: Emotion, Reason, and the Gap Between Us and Them*. New York: Penguin Press.

Hammer, Dean. 2008. *Roman Political Thought and the Modern Theoretical Imagination*. Norman: University of Oklahoma Press.

Haskell, H.J. 1942. *This Was Cicero: Modern Politics in a Roman Toga*. New York: Alfred A. Knopf.

Hebgeis, Ursula. 1968. "Is Cicero a Hypocrite in Religion?" *The American Journal of Philology* 90(3): 304-312.

Howes, J.R. 1972. "Cicero's Moral Philosophy in The *De Finibus*." In *Cicero and Virgil: Studies in Honor of Harold Hunt*. Ed. John R.C. Martyn. Amsterdam: Adolf M. Hakkert.

Hunt, H.A.K. 1954. *The Humanism of Cicero*. Melbourne: Melbourne University Press.

Kahneman, Daniel. 2011. *Thinking, Fast and Slow*. New York: Farrar, Straus and Giroux.

Kapust, Daniel J. 2011. 2011. "Cicero on decorum and the morality of rhetoric." *European Journal of Political Theory* 10(1): 92-112.

Kries, Douglas. 2003. "On the Intention of Cicero's *De Officiis*." *The Review of Politics* 65(4): 375-393.

Lake, David A. and Powell, Robert eds. 1999. *Strategic Choice and International Relations*. Princeton: Princeton University Press.

Leake, James C. 1987. "Tacitus' Teaching and the Decline of Liberty at Rome." *Interpretation*15(1): 55-96.

Levine, Philip. 1957. "The Original Design and Publication of the De Natura Deorum." *Harvard Studies in Classical Philology* 62(1957): 7-36.
--- 1958. "Cicero and the Literary Dialogue." *The Classical Journal* 53(4): 146-151.

Long, A. A. 2006. *From Epicurus to Epictetus: Studies in Hellenistic and Roman Philosophy*. Oxford: Oxford University Press.

Lucretius. 1977. *On the Nature of The Gods*. Trans. Frank O. Copley. New York: W.W. Norton and Company.

Macrobius, Ambrosius Aurelius Theodosius. 1990. *Commentary on the Dream of Scipio*. Ed. and trans. William Harris Stahl. New York: Columbia University Press.

Machiavelli, Nicolo. 1996. *Discoures on Livy*. Trans. Harvey C. Mansfield and Nathan Tarcov. Chicago: University of Chicago Press.

Manent, Pierre. 2013. *Metamorphoses of the City: On the Western Dynamic*. Trans. Marc LePain. Cambridge: Harvard University Press.

Mansfield, Harvey C. 1998. *Machiavelli's Virtue*. Chicago: University of Chicago Press.

Montestqueiu, Charles de Secondat. 2002. "Discourse on Cicero." Trans. David Fott.

Political Theory 30(5): 733-737.

Nicgorski, Walter. 1978. "Cicero and the Rebirth of Political Philosophy." *Political Science Reviewer* 8(Fall): 63-101.
--- 1984. "Cicero's Paradoxes and His Idea of Utility." *Political Theory* 12(4): 557-578.
--- 1991. "Cicero's Focus: From the Best Regime to the Model Statesman." *Political Theory* 19(2): 230-251.
--- 1992. "Cicero's Socrates" in *Law and Philosophy*: *The Practice of Theory: Essays in Honor of George Anastaplo*. Ed. John A Murley, Robert L. Stone, and William T. Braithwaite Athens: Ohio University Press.
--- 2012. *Cicero's Practical Philosophy*. Ed. South Bend: University of Notre Dame Press.

Nussbaum, Martha. 1987. "The Stoics on the Extirpation of the Passions." *Apeiron* 20(2): 129-177.
--- 1998. "Political Animals: Luck, Love, and Dignity." *Metaphilosophy* (29)4: 273-287.
--- 2000. "Duties of Justice, Duties of Material Aid: Cicero's Problematic Legacy." *The Journal of Political Philosophy* 8(2): 176-206.

Pangle, Thomas L. 1998. "Cicero's Critique and Transformation of the Stoic Ideal." *Canadian Journal of Political Science* 31(2): 235-262.
--- 2010. "Socratic Political Philosophy in Xenophon's *Symposium*." *American Journal of Political Science* 54(1): 140-152.

Pease, Arthur Stanley. 1913. "The Conclusion of Cicero's De Natura Deorum." *Transactions and Proceedings of the American Philological Association* 44(1913): 25-37.

Pettit, Philip. 1997. *Republicanism: A Theory of Freedom and Government*. Oxford: Clarendon Press.
--- 2000. "On 'Republicanism': Reply to Carter, Christman and Dagger." *The Good Society* 9(3): 54-57.

Plato. 1927. *Plato Vol. VII: Timaeus, Critias, Cleitophon, Menexenus, Epistles*. Trans. Rev. R. G. Bury, Litt.D. London: William Heinemann Ltd.
---1998. *Phaedrus*. Trans. James H. Nichols, Jr. Ithaca: Cornell University Press.

Plutarch. 1919. *Plutarch's Lives, Volume VIII*. Trans. Bernadotte Perrin. Cambridge: Harvard University Press.

Powell, J.G.F. ed. 1995. *Cicero the Philosopher*. Oxford: Oxford University Press.

Rahe, Paul. 1994. "Cicero and Republicanism in America." *Ciceronania* 8: 63-78.

Remer, Gary. 2010. "The Classical Orator as Political Representative: Cicero and the Modern Concept of Representation." *The Journal of Politics* 72(4): 1063-1082.

Riker, William. 1990. "Political Science and Rational Choice." In *Perspectives on Positive Political Economy*. Ed. James E. Alt and Kenneth A. Shepsle. Cambridge: Cambridge University Press.
--- 1995. "The Political Psychology of Rational Choice Theory." *Political Psychology* 16(1): 23-44.

Rosenblitt, J. Alison. 2011. "The 'Devotio of Sallust's Cotta." *American Journal of Philology* 132(3): 397-427.

Rousseau, Jean-Jacques. 2007. "Observations by Jean-Jacques Roussseau of Geneva on the Reply Made to His Discourse." In *Rousseau on Philosophy, Morality, and Religion*. Trans. Judith R. Butler. Ed. Christopher Kelly. Lebanon: Dartmouth College Press.

Segal, Jeffrey A. and Spaeth, Harold J. 2002. *The Supreme Court and the Attitudinal Model Revisited*. Cambridge: Cambridge University Press.

Schofield, Malcom. 2012. **"**The fourth Virtue." In Nicgorski 2012. 43-57.

Seneca. 1958. *The Stoic Philosophy of Seneca*. Trans. Moses Hadas. New York: W.W. Norton and Company.

Skinner, Quentin. 1990. "Machiavelli's *Discorsi* and the Pre-Humanist Origins of Republican Ideas." In *Machiavelli and Republicanism*. Ed. Gisela Bock, Quentin Skinner, and Maurizio Viroli. Cambridge: Cambridge University Press.

Stockdale, James B. 1993. *Courage Under Fire*: *Testing Epictetus' Doctrines in a Laboratory of Human Behavior*. Stanford: Hoover Institution.
--- 1995. *Thoughts of a Philosophical Fighter Pilot*. Stanford: Hoover Institution.

Strauss, Leo. 1950. *Natural Right and History*. Chicago: University of Chicago Press.
--- 2000. "Restatement on Xenophon's *Hiero*." In *On Tyranny*. Chicago: University of Chicago Press.

Stem, Rex. 2006. "Cicero as Orator and Philosopher: The Value of the "Pro Murena" for Ciceronian Political Thought." *The Review of Politics* 68(2): 206-231.

Sunstein, Cass and Thaler, Richard. 2003. "Libertarian Paternalism is Not an Oxymoron." *The University of Chicago Law Review* (70)4: 1159-1202.

--- 2008. *Nudge*: *Improving Decisions About Health, Wealth, and Happiness*. New Haven: Yale University Press.

Virgil. 2006. *The Aeneid*. Trans. Robert Fagles. New York: Penguin Books.

Viroli, Maurizio. 1990. "Machiavelli and the Republican Idea of Politics." In *Machiavelli and Republicanism*. Ed. Gisela Bock, Quentin Skinner, and Maurizio Viroli. Cambridge: Cambridge University Press.

Vivenza, Gloria. 2004. "Renaissance Cicero. The 'Economic' Virtues of *De Officiis* I,22 in Some Sixteenth Century Commentaries." *European Journal of the History of Economic Thought* (11)4: 507-523.

Voegelin, Eric. 2001. *Modernity Without Restraint: The Collected Works of Eric Voegelin Volume 5*. Columbia: University of Missouri Press.

Weithman, Paul. 2004. "Political Republicanism and Perfectionist Republicanism." *The Review of Politics* 66(2): 285-312.

White, S. 1995. "Cicero and the Therapists." In Powell 1995. 219-246.

Wilhelmsen, Frederick D. and Kendall, Willmoore. 1968-69. "Cicero and the Politics of the Public Orthodoxy." *Intercollegiate Review* 5(2): 84-100.

Wolfe, Tom. 1998. *A Man In Full*. New York: Farrar, Straus and Giroux.

Wood, Neal. 1988. *Cicero's Social and Political Thought*. Berkeley: University of California Press.

Xenophon. 1994. *Memorabilia* Trans. Amy L Bonette. Ithaca: Cornell University Press.
---1996. *Symposium*. In *The Shorter Socratic Writings*. Ed. and Trans. Robert Bartlett. Ithaca: Cornell University Press.

Vita

Carly Herold is from New York, NY. She holds a B.A. in Political Science and Classics from Tufts University and an M.A. in Government from The University of Texas at Austin.

Email address: carly.baruh@utexas.edu

This dissertation was typed by Carly Tess Herold